
SENATE BILL 5142

State of Washington

69th Legislature

2025 Regular Session

By Senators Hasegawa, Chapman, Nobles, Schoesler, and Wellman

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1 AN ACT Relating to providing owners of real estate taken through
2 eminent domain by school districts, or sold under threat of eminent
3 domain, the opportunity to purchase the real estate back when it is
4 not put to intended public use; adding a new section to chapter 8.16
5 RCW; and creating a new section.

6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

7 NEW SECTION. **Sec. 1.** A new section is added to chapter 8.16 RCW
8 to read as follows:

9 (1) For purposes of this section, real estate is acquired under
10 threat of condemnation when a school district purchases the real
11 estate without a judgment having been entered in a condemnation
12 action brought under this chapter and the school district sends the
13 property owner a written notice indicating an intent to pursue a
14 condemnation action to acquire the real estate.

15 (2) At the time of an acquisition of real estate under threat of
16 condemnation, or within a reasonable time after, a school district
17 shall provide the previous property owner or owners a written
18 statement identifying the use for which the property is being
19 acquired.

20 (3) Before real estate acquired in a condemnation action brought
21 under this chapter, or acquired under threat of condemnation, may be

1 sold, transferred, or put to a use other than as a site for a
2 schoolhouse, or as additional grounds to an existing schoolhouse
3 site, the school district shall send a written offer by certified
4 mail to the previous owner or owners at their last known addresses,
5 offering to sell the acquired real estate to the previous owner or
6 owners in exchange for the amount paid by the school district to the
7 clerk of the court as compensation for the real estate taken, or, in
8 the case of property acquired under threat of condemnation, for the
9 purchase price paid by the school district.

10 (4) Once the school district puts acquired real estate to use as
11 a site for a schoolhouse, or as additional grounds to an existing
12 schoolhouse site, its obligations under subsection (3) of this
13 section terminate, even if the acquired real estate is subsequently
14 put to a use other than as a site for a schoolhouse or as additional
15 grounds to an existing schoolhouse site.

16 (5) A property owner may waive the rights to receive notice and
17 to purchase back the acquired real estate by executing a written
18 waiver.

19 NEW SECTION. **Sec. 2.** This act may be known and cited as the
20 Houston eminent domain fairness act.

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