
SUBSTITUTE SENATE BILL 5197

State of Washington

69th Legislature

2025 Regular Session

By Senate Local Government (originally sponsored by Senators Salomon, Liiias, and Nobles)

READ FIRST TIME 02/14/25.

1 AN ACT Relating to ensuring that local government planning
2 complies with the growth management act; and amending RCW 36.70A.330.

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

4 **Sec. 1.** RCW 36.70A.330 and 2021 c 312 s 2 are each amended to
5 read as follows:

6 (1) After the time set for complying with the requirements of
7 this chapter under RCW 36.70A.300(3)(b) has expired, or at an earlier
8 time upon the motion of a county or city subject to a determination
9 of invalidity under RCW 36.70A.300, the board shall set a hearing for
10 the purpose of determining whether the state agency, county, or city
11 is in compliance with the requirements of this chapter.

12 (2) (a) The board shall conduct a hearing and issue a finding of
13 compliance or noncompliance with the requirements of this chapter and
14 with any compliance schedule established by the board in its final
15 order.

16 (b) The board may not issue a finding of compliance unless the
17 county or city has amended the portion of the plan or regulations
18 that were found noncompliant, and the resulting plan or regulations
19 subject to the noncompliance order are compliant with the
20 requirements of this chapter.

1 (c) A person with standing to challenge the legislation enacted
2 in response to the board's final order may participate in the hearing
3 along with the petitioner and the state agency, county, or city.

4 (d) A hearing under this subsection shall be given the highest
5 priority of business to be conducted by the board, and a finding
6 shall be issued within (~~forty-five~~) 45 days of the filing of the
7 motion under subsection (1) of this section with the board. The board
8 shall issue any order necessary to make adjustments to the compliance
9 schedule and set additional hearings as provided in subsection (5) of
10 this section.

11 (3) If the board after a compliance hearing finds that the state
12 agency, county, or city is not in compliance, the board shall
13 transmit its finding to the governor.

14 (a) The board may refer a finding of noncompliance to the
15 department. The purpose of the referral is for the department to
16 provide technical assistance to facilitate speedy resolution of the
17 finding of noncompliance and to provide training pursuant to RCW
18 36.70A.332 as necessary.

19 (b) Alternatively, the board may recommend to the governor that
20 the sanctions authorized by this chapter be imposed. The board shall
21 take into consideration the county's or city's efforts to meet its
22 compliance schedule in making the decision to recommend sanctions to
23 the governor.

24 (4) In a compliance hearing upon petition of a party, the board
25 shall also reconsider its final order and decide, if no determination
26 of invalidity has been made, whether one now should be made under RCW
27 36.70A.302.

28 (5) The board shall schedule additional hearings as appropriate
29 pursuant to subsections (1) and (2) of this section.

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