

RCW 43.83.410 Transfers of real property and facilities to nonprofit corporations. (1) Public bodies may transfer without further consideration real property and facilities acquired, constructed, or otherwise improved under the social and health services facilities 1972 bond issue to nonprofit corporations organized to provide individuals with social and health services, in exchange for the promise to continually operate services benefiting the public on the site, subject to all the conditions in this section. For purposes of this section, "transfer" may include lease renewals. The nonprofit corporation shall use the real property and facilities for the purpose of providing the following programs as designated by the department of social and health services: Facilities for social services, adult and juvenile correction or detention, child welfare, day care, drug abuse and alcoholism treatment, mental health, public health, developmental disabilities, and vocational rehabilitation.

(2) The deed transferring the property in subsection (1) of this section must provide for immediate reversion back to the public body if the nonprofit corporation ceases to use the property for the purposes described in subsection (1) of this section.

(3) The nonprofit corporation is authorized to sell the property transferred to it pursuant to subsection (1) of this section only if all of the following conditions are satisfied: (a) Any such sale must be subject to prior written approval by the department of social and health services; (b) all proceeds from such a sale must be applied to the purchase price of a different property or properties of equal or greater value than the original property; (c) any new property or properties must be used for the purposes stated in subsection (1) of this section; (d) the new property or properties must be available for use within one year of sale; and (e) the nonprofit corporation must enter into an agreement with the public entity to reimburse the public entity for the value of the original property at the time of the sale if the nonprofit corporation ceases to use the new property for the purposes described in subsection (1) of this section.

(4) If the nonprofit corporation ceases to use the property for the purposes described in subsection (1) of this section, the property and facilities revert immediately to the public body. The public body shall then determine if the property, or the reimbursed amount in the case of a reimbursement under subsection (3)(e) of this section, may be used by another program as designated by the department of social and health services. These programs have priority in obtaining the property to ensure that the purposes specified in the social and health services facilities 1972 bond issue are carried out.

(5) As used in this section, the term "public body" means the state of Washington, or any agency, political subdivision, taxing district, or municipal corporation thereof, and those Indian tribes now or hereafter recognized as such by the federal government for participation in the federal land and water conservation program and which may constitutionally receive grants or loans from the state of Washington. [2015 1st sp.s. c 4 s 35; 2006 c 35 s 3. Formerly RCW 43.83D.120.]

Reviser's note: This section has been recodified pursuant to RCW 1.08.015(2)(h).

Findings—2006 c 35: See note following RCW 43.83.400.