

**SHB 1039** - H AMD

By Representative Schindler

1           On page 1, line 17, after "58.17.060." strike "Except as  
2 provided under subsection (5) of this section, for" and insert  
3 "For"

4           On page 2, line 4, after "subdivision." insert the following:

5           "The legislature recognizes that eliminating a vested right to  
6 develop property under the regulations in place when a short  
7 subdivision is filed is a taking of property without compensation  
8 under the Fifth Amendment to the United States Constitution. The  
9 legislature therefore intends that this subsection (4) be  
10 prospective only, and apply only to short subdivisions filed on or  
11 after the effective date of this act."

12           On page 2, beginning on line 5, strike all of subsection "(5)"

**EFFECT:** 1)Makes the provisions of the proposed substitute applicable only to those short subdivisions that are filed on or after the effective date of the act; 2)Deletes subsection (5)of the proposed substitute, which exempted from the coverage of the bill those short subdivisions which are zoned for single family homes and which receive short plat approval on or before the effective date of the bill; 3)States a legislative finding that eliminating a vested right to develop property under the regulations in place when a short subdivision is filed is a taking of property without compensation under the Fifth Amendment to the United States Constitution.