

HOUSE BILL REPORT

SB 6190

As Passed House - Amended:

March 1, 2000

Title: An act relating to the expeditious resolution of public use disputes in eminent domain proceedings.

Brief Description: Promoting expeditious resolution of public use disputes in eminent domain proceedings.

Sponsors: Senators Patterson, Horn, Haugen, Johnson, Costa, Goings, McCaslin and Winsley.

Brief History:

Committee Activity:

Judiciary: 2/25/00 [DP].

Floor Activity:

Passed House - Amended: 3/1/00, 97-1.

Brief Summary of Bill

- Directs courts to give county condemnation proceedings precedence over other civil cases.
- Creates a legislative study group to review eminent domain issues.

HOUSE COMMITTEE ON JUDICIARY

Majority Report: Do pass. Signed by 12 members: Representatives Carrell, Republican Co-Chair; Constantine, Democratic Co-Chair; Hurst, Democratic Vice Chair; Lambert, Republican Vice Chair; Cox; Dickerson; Esser; Kastama; Lantz; Lovick; McDonald and Schindler.

Staff: Bill Perry (786-7123).

Background:

For constitutional reasons, criminal trials take precedence over civil trials. With respect to civil trials, however, the Legislature has directed that some kinds of civil cases take precedence over other civil cases. Examples of civil cases that have been given priority include abatement of nuisances, election contests, hearings on injunctions and restraining orders, and child custody hearings.

Condemnation proceedings through the exercise of eminent domain is another category of civil cases for which the Legislature has often directed the courts to give priority. For instance, condemnations of land for public use by cities, or condemnations by the state for highway construction, are expressly given precedence over all other noncriminal cases.

Condemnation proceedings by counties, however, are not given express statutory priority.

Summary of Bill:

Condemnation proceedings by counties are given precedence over all other noncriminal cases.

A joint legislative study group is created to review issues related to eminent domain. The authorization for the study group expires December 31, 2000.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Testimony For: The bill will save time and money in condemnation proceedings. There are only a few county condemnations that go to trial, but they can currently wait for as long as two years. The bill will allow expediting of these cases.

Testimony Against: None.

Testified: George Walk, Pierce County.