

CERTIFICATION OF ENROLLMENT

HOUSE BILL 2734

Chapter 157, Laws of 2010

61st Legislature
2010 Regular Session

DEPARTMENT OF TRANSPORTATION SURPLUS PROPERTY--DISPOSAL

EFFECTIVE DATE: 06/10/10

Passed by the House March 6, 2010
Yeas 74 Nays 21

FRANK CHOPP

Speaker of the House of Representatives

Passed by the Senate March 3, 2010
Yeas 31 Nays 14

BRAD OWEN

President of the Senate

Approved March 22, 2010, 2:37 p.m.

CHRISTINE GREGOIRE

Governor of the State of Washington

CERTIFICATE

I, Barbara Baker, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **HOUSE BILL 2734** as passed by the House of Representatives and the Senate on the dates hereon set forth.

BARBARA BAKER

Chief Clerk

FILED

March 22, 2010

**Secretary of State
State of Washington**

HOUSE BILL 2734

AS AMENDED BY THE SENATE

Passed Legislature - 2010 Regular Session

State of Washington

61st Legislature

2010 Regular Session

By Representatives Kagi, Liiias, Chase, Miloscia, Clibborn, Wallace, Maxwell, Nelson, Simpson, and Santos

Read first time 01/13/10. Referred to Committee on Transportation.

1 AN ACT Relating to allowing federally qualified community health
2 centers to buy surplus real property from the department of
3 transportation; amending RCW 47.12.063; and providing an expiration
4 date.

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

6 **Sec. 1.** RCW 47.12.063 and 2006 c 17 s 2 are each amended to read
7 as follows:

8 (1) It is the intent of the legislature to continue the
9 department's policy giving priority consideration to abutting property
10 owners in agricultural areas when disposing of property through its
11 surplus property program under this section.

12 (2) Whenever the department determines that any real property owned
13 by the state of Washington and under the jurisdiction of the department
14 is no longer required for transportation purposes and that it is in the
15 public interest to do so, the department may sell the property or
16 exchange it in full or part consideration for land or improvements or
17 for construction of improvements at fair market value to any of the
18 following governmental entities or persons:

19 (a) Any other state agency;

1 (b) The city or county in which the property is situated;
2 (c) Any other municipal corporation;
3 (d) Regional transit authorities created under chapter 81.112 RCW;
4 (e) The former owner of the property from whom the state acquired
5 title;

6 (f) In the case of residentially improved property, a tenant of the
7 department who has resided thereon for not less than six months and who
8 is not delinquent in paying rent to the state;

9 (g) Any abutting private owner but only after each other abutting
10 private owner (if any), as shown in the records of the county assessor,
11 is notified in writing of the proposed sale. If more than one abutting
12 private owner requests in writing the right to purchase the property
13 within fifteen days after receiving notice of the proposed sale, the
14 property shall be sold at public auction in the manner provided in RCW
15 47.12.283;

16 (h) To any person through the solicitation of written bids through
17 public advertising in the manner prescribed by RCW 47.28.050;

18 (i) To any other owner of real property required for transportation
19 purposes;

20 (j) In the case of property suitable for residential use, any
21 nonprofit organization dedicated to providing affordable housing to
22 very low-income, low-income, and moderate-income households as defined
23 in RCW 43.63A.510 and is eligible to receive assistance through the
24 Washington housing trust fund created in chapter 43.185 RCW; (~~or~~)

25 (k) A federally qualified community health center as defined in RCW
26 82.04.4311; or

27 (l) A federally recognized Indian tribe within whose reservation
28 boundary the property is located.

29 (3) Sales to purchasers may at the department's option be for cash,
30 by real estate contract, or exchange of land or improvements.
31 Transactions involving the construction of improvements must be
32 conducted pursuant to chapter 47.28 RCW or Title 39 RCW, as applicable,
33 and must comply with all other applicable laws and rules.

34 (4) Conveyances made pursuant to this section shall be by deed
35 executed by the secretary of transportation and shall be duly
36 acknowledged.

37 (5) Unless otherwise provided, all moneys received pursuant to the

1 provisions of this section less any real estate broker commissions paid
2 pursuant to RCW 47.12.320 shall be deposited in the motor vehicle fund.

3 NEW SECTION. **Sec. 2.** Section 1 of this act expires June 30, 2012.
Passed by the House March 6, 2010.
Passed by the Senate March 3, 2010.
Approved by the Governor March 22, 2010.
Filed in Office of Secretary of State March 22, 2010.