

HOUSE BILL REPORT

HB 1480

As Passed House:

March 11, 2003

Title: An act relating to sharing of appraisal information in condemnation proceedings.

Brief Description: Allowing sharing of condemnation appraisal information.

Sponsors: By Representatives Clibborn, Ericksen and Wallace; by request of Department of Transportation.

Brief History:

Committee Activity:

Judiciary: 2/13/03, 2/25/03 [DP].

Floor Activity:

Passed House: 3/11/03, 93-0.

Brief Summary of Bill

- Allows both the agency seeking to acquire property and the property owner to supply the other party at the time of an initial offer of purchase with information on appraisal amounts and methodology.
- Prohibits the use at trial of another party's information when supplied under these circumstances.

HOUSE COMMITTEE ON JUDICIARY

Majority Report: Do pass. Signed by 9 members: Representatives Lantz, Chair; Moeller, Vice Chair; Carrell, Ranking Minority Member; McMahan, Assistant Ranking Minority Member; Campbell, Flannigan, Kirby, Lovick and Newhouse.

Staff: Bill Perry (786-7123).

Background:

Once a condemnation action has begun, a court may order the parties to exchange information regarding how each side has arrived at its valuation of the property. Such an order is to be entered only after assurance that the exchange will result in "mutual, reciprocal, and contemporaneous" release of similar information by each side.

When an offer has been made on property, but before court action has begun, either side may be hesitant to exchange information about valuation of the property out of fear that disclosures will be used against them if the case does go to trial.

Summary of Bill:

At the time a government agency makes an initial offer to buy property, both the agency and the property owner may exchange information about how they have set the value of the property. If information is divulged in this manner, it may not subsequently be used as evidence by the other party if the case goes to trial.

Appropriation: None.

Fiscal Note: Not Requested.

Effective Date: The bill takes effect 90 days after adjournment of session in which bill is passed.

Testimony For: The bill will promote understanding and trust between the participants in the process. It will encourage settlement and reduce the number of costly trials.

Testimony Against: None.

Testified: Representative Clibborn, prime sponsor; and Gerry Gallinger, Department of Transportation.