

**E2SHB 1332** - S COMM AMD

By Committee on Consumer Protection & Housing

1 Strike everything after the enacting clause and insert the  
2 following:

3 "NEW SECTION. **Sec. 1.** (1) The legislature finds that:

4 (a) The lack of affordable housing for very low-income and low-  
5 income households and for housing for special needs populations is  
6 intensified by the rising cost of land and construction;

7 (b) There are publicly owned surplus land and buildings that may be  
8 suitable to be marketed, sold, leased, or exchanged for the development  
9 of affordable housing or housing for special needs populations; and

10 (c) Requiring certain public agencies, commissions, and local  
11 governments to offer suitable surplus land and buildings for a minimum  
12 period of time to eligible organizations for the purpose of the  
13 development of affordable housing or housing for special needs  
14 populations confers a valuable benefit on the public that constitutes  
15 consideration for the sale of such property.

16 (2) The legislature declares that the purpose of this act is to:

17 (a) Identify publicly owned land and buildings that may be suitable  
18 for the development of affordable housing for very low-income and low-  
19 income households or for housing for special needs populations;

20 (b) Provide public notice of state and other publicly owned land  
21 and buildings that may be suitable to be marketed, sold, leased, or  
22 exchanged for the development of affordable housing or housing for  
23 special needs populations; and

24 (c) Facilitate the effective use of publicly owned surplus and  
25 underutilized land and buildings suitable for the development of  
26 affordable housing for very low-income and low-income households or for  
27 housing for special needs populations by requiring that these types of  
28 surplus property owned by certain public agencies, commissions, and  
29 local governments be offered for an initial time period to eligible

1 organizations for the development of affordable housing for very low-  
2 income and low-income households or for housing for special needs  
3 populations.

4 **Sec. 2.** RCW 43.63A.510 and 1993 c 461 s 2 are each amended to read  
5 as follows:

6 (1) ~~((The department shall work with the departments of natural  
7 resources, transportation, social and health services, corrections, and  
8 general administration to identify and catalog under utilized,  
9 state owned land and property suitable for the development of  
10 affordable housing for very low income, low income or moderate income  
11 households.))~~ The department, and the departments of natural resources,  
12 transportation, social and health services, corrections, and general  
13 administration, the state parks and recreation commission, and local  
14 governments, shall ((provide)) each produce an inventory of real  
15 property that is owned or administered by ((each)) the agency,  
16 commission, or local government, is suitable for the development of  
17 affordable housing or for housing for special needs populations, and is  
18 available for lease or sale. ((The inventories shall be provided to  
19 the department by November 1, 1993, with inventory revisions provided  
20 each November 1 thereafter.

21 ~~((2) Upon written request, the department shall provide a copy of  
22 the inventory of state owned and publicly owned lands and buildings to  
23 parties interested in developing the sites for affordable housing.))~~  
24 Each inventory must contain descriptive information about each property  
25 that includes, if known, the contact information for the property and  
26 the location, approximate size, the sale or lease price and terms, and  
27 the current zoning classification of the property. Each inventory must  
28 be updated at least once a year, and printed and electronic copies of  
29 each inventory must be provided upon request.

30 ~~((+3))~~ (2) As used in this section, unless the context clearly  
31 requires otherwise:

32 (a) "Affordable housing" means residential housing that is rented  
33 or owned by a person who qualifies as a very low-income((7)) or low-  
34 income((7, or moderate income)) household or who is from a special needs  
35 population, and whose monthly housing costs, including utilities other  
36 than telephone, do not exceed thirty percent of the household's monthly  
37 income.

1 (b) "Very low-income household" means a single person, family, or  
2 unrelated persons living together whose income is at or below fifty  
3 percent of the median family income, adjusted for household size, for  
4 the county where the affordable housing is located.

5 (c) "Low-income household" means a single person, family, or  
6 unrelated persons living together whose income is more than fifty  
7 percent but is at or below eighty percent of the median family income  
8 where the affordable housing is located.

9 (~~(d) ("Moderate income household" means a single person, family, or~~  
10 ~~unrelated persons living together whose income is more than eighty~~  
11 ~~percent but is at or below one hundred fifteen percent of the median~~  
12 ~~income where the affordable housing is located.))~~ "Special needs  
13 populations" includes, but is not limited to, persons with mental  
14 illness, dementia, a developmental disability, or other condition  
15 affecting cognition, such as traumatic brain injury.

16 (e) "Eligible organization" means any city, town, or county  
17 government, local housing authority, public development authority,  
18 community renewal agency, regional support network established under  
19 chapter 71.24 RCW, nonprofit community or neighborhood-based  
20 organization, federally recognized Indian tribe in the state of  
21 Washington, or regional or statewide nonprofit housing assistance  
22 organization, each having experience in the development of affordable  
23 housing or housing for special needs populations.

24 (f) "Housing authority" or "authority" means any of the public  
25 corporations created by RCW 35.82.030.

26 (g) "Public development authority" means a public authority created  
27 under RCW 35.21.730.

28 (h) "Community renewal agency" has the same meaning as in RCW  
29 35.81.015.

30 (i) "Purchasing entity" means an eligible organization that  
31 purchases surplus property under this section.

32 (j) "Local government" means:

33 (i) A county subject to RCW 36.70A.215 or with a population of at  
34 least four hundred thousand; or

35 (ii) A city or town with a population of at least five thousand  
36 within a county that is subject to RCW 36.70A.215 or that has a  
37 population of at least four hundred thousand.

1       (3)(a) Surplus property for sale by the department, and the  
2 departments of natural resources, transportation, social and health  
3 services, corrections, and general administration, the state parks and  
4 recreation commission, and by local governments, which is suitable for  
5 the development of affordable housing or for housing for special needs  
6 populations, must be offered, for at least the first one hundred eighty  
7 days after its availability for sale, exclusively to eligible  
8 organizations, for the purpose of developing affordable housing or  
9 housing for special needs populations. Eligible organizations have the  
10 right of first opportunity to purchase these surplus properties, under  
11 reasonable option and purchase conditions, in return for a commitment  
12 to provide affordable housing or housing for special needs populations  
13 for at least thirty years. Agencies, commissions, and local  
14 governments subject to this section have the sole authority to  
15 determine: (i) Whether or not property is surplus; (ii) whether or not  
16 the property is suitable for the development of affordable housing for  
17 very low-income and low-income households or for housing for special  
18 needs populations; and (iii) what constitutes reasonable option and  
19 purchase conditions.

20       (b)(i) Any eligible organization interested in purchasing surplus  
21 property described in this section must present to the agency,  
22 commission, or local government that is selling the property an  
23 affordable housing or special needs housing project description,  
24 including:

25       (A) The number of affordable housing units to be created and a  
26 description of the income-level populations that may occupy the units;

27       (B) The number of special needs units to be created;

28       (C) The number, estimated square footage, and description of the  
29 purpose of other facilities to be created;

30       (D) The number of years the purchasing entity intends to (I) retain  
31 the affordable housing units as affordable housing or (II) retain  
32 housing units for special needs populations, which must be at least  
33 thirty years; and

34       (E) A proposed development schedule indicating that the development  
35 will either be placed into service or be substantially completed and  
36 available for occupation within eight years of the date on which the  
37 purchasing entity formally purchases the property.

1 (ii) Individual local governments, state agencies, and commissions  
2 may establish additional requirements for purchase offers by eligible  
3 organizations.

4 (c) Each agency, commission, and local government subject to this  
5 section must establish criteria to use if more than one eligible  
6 organization is interested in purchasing a single piece of surplus  
7 property and presents a proposed project description during the  
8 required initial offer period. The criteria may give preference to  
9 eligible organizations that propose to develop affordable housing or  
10 housing for special needs populations that:

11 (i) Serve the lowest income populations or special needs  
12 populations;

13 (ii) Create the greatest number of affordable housing units or  
14 units for special needs populations;

15 (iii) Preserve the affordability of the affordable housing units or  
16 commit to retain the units for special needs populations for the  
17 longest periods of time;

18 (iv) Integrate or cause the provision of appropriate supportive  
19 services in the proposed project description; and

20 (v) Are most likely to place affordable housing or housing for  
21 special needs populations into service at the earliest date.

22 (d) If an eligible organization does not present a proposed project  
23 description that meets the requirements of (c) of this subsection,  
24 during the required initial offer period, local governments, state  
25 agencies, and commissions may consider offers from the general public.  
26 However, these entities are encouraged to market surplus properties to  
27 other entities interested in developing affordable housing or housing  
28 for special needs populations.

29 (4) State agencies, commissions, and local governments subject to  
30 this section must maintain records of all properties listed in the  
31 inventory required under subsection (1) of this section for at least  
32 ten years. Records must include the documentation of sales to eligible  
33 organizations and information regarding affordable housing planned or  
34 produced on the properties sold to eligible organizations.

35 (5) The following property is exempt from this chapter:

36 (a) Real property designated or previously acquired as state lands  
37 as defined in RCW 79.02.010; and

38 (b) Lands acquired under restrictive conveyances.

1       (6) This section is not intended to limit the powers granted in  
2 chapters 35.81, 35.82, and 35.83 RCW, or to prevent a selling entity  
3 from using alternative processes for the sale or disposition of surplus  
4 land for affordable housing or special needs housing purposes as long  
5 as those alternative processes require that surplus land be used for  
6 affordable housing or for housing for special needs populations,  
7 meeting, at a minimum, the standards required under this section.

8       **Sec. 3.** RCW 35.21.687 and 1995 c 399 s 37 are each amended to read  
9 as follows:

10       (1) Every city and town with a population of at least fifteen  
11 thousand within a county subject to RCW 36.70A.215, including every  
12 code city operating under Title 35A RCW, shall identify and catalog  
13 real property owned by the city or town that is no longer required for  
14 its purposes, is available for lease or sale, and is suitable for the  
15 development of affordable housing for very low-income(~~(7)~~) and low-  
16 income(~~(7 and moderate income)~~) households or for housing for special  
17 needs populations as defined in RCW 43.63A.510 (as recodified by this  
18 act). Cities, towns, and code cities have the sole authority to  
19 determine: (a) Whether or not property owned by the city, town, or  
20 code city is surplus; (b) whether or not the property is suitable for  
21 the development of affordable housing for very low-income and low-  
22 income households or for housing for special needs populations; and (c)  
23 what constitutes reasonable option and purchase conditions. The  
24 inventory (~~(shall include the location, approximate size, and current~~  
25 ~~zoning classification of the property.~~ Every city and town shall  
26 provide a copy of the inventory to the department of community, trade,  
27 and economic development by November 1, 1993, with inventory revisions  
28 each November 1 thereafter)) must include information required under  
29 RCW 43.63A.510(1) (as recodified by this act).

30       (2) (~~(By November 1 of each year, beginning in 1994,~~) Property for  
31 sale, which is suitable for affordable housing or for housing for  
32 special needs populations and is included in the inventory as required  
33 in subsection (1) of this section, must be offered to eligible  
34 organizations as defined in RCW 43.63A.510 (as recodified by this act),  
35 as required in RCW 43.63A.510(3) (as recodified by this act).

36       (3) Every city and town with a population of at least fifteen  
37 thousand within a county subject to RCW 36.70A.215, including every

1 code city operating under Title 35A RCW, shall regularly purge the  
2 inventory of real property of sites that are no longer available for  
3 the development of affordable housing or for housing for special needs  
4 populations. The inventory revision (~~(shall)~~) must also contain a list  
5 of real property that has become available since the last update.

6 (4) Records of all sales of properties included in the inventory  
7 must be maintained as required in RCW 43.63A.510(4) (as recodified by  
8 this act).

9 (5) As used in this section, "real property" means buildings, land,  
10 or buildings and land.

11 **Sec. 4.** RCW 36.34.137 and 1993 c 461 s 5 are each amended to read  
12 as follows:

13 (1) Every county subject to RCW 36.70A.215 or with a population of  
14 at least four hundred thousand shall identify and catalog real property  
15 owned by the county that is no longer required for its purposes and is  
16 suitable for the development of affordable housing for very low-  
17 income(~~(7)~~) and low-income(~~(, and moderate income)~~) households or for  
18 housing for special needs populations as defined in RCW 43.63A.510 (as  
19 recodified by this act). Counties have the sole authority to  
20 determine: (a) Whether or not property owned by the county is surplus;  
21 (b) whether or not the property is suitable for the development of  
22 affordable housing for very low-income and low-income households or for  
23 housing for special needs populations; and (c) what constitutes  
24 reasonable option and purchase conditions. The inventory (~~(shall~~  
25 ~~include the location, approximate size, and current zoning~~  
26 ~~classification of the property. Every county shall provide a copy of~~  
27 ~~the inventory to the department of community development by November 1,~~  
28 ~~1993, with inventory revisions each November 1 thereafter)) must~~  
29 include information required under RCW 43.63A.510(1) (as recodified by  
30 this act).

31 (2) (~~(By November 1 of each year, beginning in 1994,)~~) Property for  
32 sale, which is suitable for affordable housing or for housing for  
33 special needs populations and is included in the inventory as required  
34 in subsection (1) of this section, must be offered to eligible  
35 organizations as defined in RCW 43.63A.510 (as recodified by this act),  
36 as required in RCW 43.63A.510(3) (as recodified by this act).

1       (3) Every county subject to RCW 36.70A.215 or with a population of  
2 at least four hundred thousand shall regularly purge the inventory of  
3 real property of sites that are no longer available for the development  
4 of affordable housing or for housing for special needs populations.  
5 The inventory revision shall include an updated listing of real  
6 property that has become available since the last update.

7       (4) Records of all sales of properties included in the inventory  
8 must be maintained as required in RCW 43.63A.510(4) (as recodified by  
9 this act).

10       (5) As used in this section, "real property" means buildings, land,  
11 or buildings and land.

12       **Sec. 5.** RCW 43.20A.037 and 1995 c 399 s 65 are each amended to  
13 read as follows:

14       (1) The department shall identify and catalog real property that is  
15 no longer required for department purposes and is suitable for the  
16 development of affordable housing for very low-income(~~(7)~~) and  
17 (~~moderate~~) low-income households or for housing for special needs  
18 populations as defined in RCW 43.63A.510 (as recodified by this act).  
19 The inventory (~~shall include the location, approximate size, and~~  
20 ~~current zoning classification of the property. The department shall~~  
21 ~~provide a copy of the inventory to the department of community, trade,~~  
22 ~~and economic development by November 1, 1993, and every November 1~~  
23 ~~thereafter)) must include information required under RCW 43.63A.510(1)  
24 (as recodified by this act).~~

25       (2) (~~By November 1 of each year, beginning in 1994,~~) Property for  
26 sale, which is suitable for affordable housing or for housing for  
27 special needs populations and is included in the inventory as required  
28 in subsection (1) of this section, must be offered to eligible  
29 organizations as defined in RCW 43.63A.510 (as recodified by this act),  
30 as required in RCW 43.63A.510(3) (as recodified by this act).

31       (3) The department shall regularly purge the inventory of real  
32 property of sites that are no longer available for the development of  
33 affordable housing or for housing for special needs populations. The  
34 department shall include an updated listing of real property that has  
35 become available since the last update.

36       (4) Records of all sales of properties included in the inventory



1 must be maintained as required in RCW 43.63A.510(4) (as recodified by  
2 this act).

3 (5) As used in this section, "real property" means buildings, land,  
4 or buildings and land.

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

7 (1) Except as required in RCW 47.12.064:

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

19 ~~((+a))~~ (i) In the case of property suitable for residential use,  
20 any eligible organization as defined in RCW 43.63A.510 (as recodified  
21 by this act);

22 (ii) Any other state agency;

23 ~~((+b))~~ (iii) The city or county in which the property is situated;

24 ~~((+c))~~ (iv) Any other municipal corporation;

25 ~~((+d))~~ (v) Regional transit authorities created under chapter  
26 81.112 RCW;

27 ~~((+e))~~ (vi) The former owner of the property from whom the state  
28 acquired title;

29 ~~((+f))~~ (vii) In the case of residentially improved property, a  
30 tenant of the department who has resided thereon for not less than six  
31 months and who is not delinquent in paying rent to the state;

32 ~~((+g))~~ (viii) Any abutting private owner, but only after each  
33 other abutting private owner ~~((+))~~, if any ~~((+))~~, as shown in the  
34 records of the county assessor, is notified in writing of the proposed  
35 sale. If more than one abutting private owner requests in writing the  
36 right to purchase the property within fifteen days after receiving

1 notice of the proposed sale, the property shall be sold at public  
2 auction in the manner provided in RCW 47.12.283;

3 ~~((h))~~ (ix) To any person through the solicitation of written bids  
4 through public advertising in the manner prescribed by RCW 47.28.050;

5 ~~((i))~~ (x) To any other owner of real property required for  
6 transportation purposes;

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

12 ~~((k))~~ (xi) A federally recognized Indian tribe within whose  
13 reservation boundary the property is located.

14 ~~((3))~~ (2) Sales to purchasers may at the department's option be  
15 for cash, by real estate contract, or exchange of land or improvements.  
16 Transactions involving the construction of improvements must be  
17 conducted pursuant to chapter 47.28 RCW or Title 39 RCW, as applicable,  
18 and must comply with all other applicable laws and rules.

19 ~~((4))~~ (3) Conveyances made pursuant to this section shall be by  
20 deed executed by the secretary of transportation and shall be duly  
21 acknowledged.

22 ~~((5))~~ (4) Unless otherwise provided, all moneys received pursuant  
23 to the provisions of this section less any real estate broker  
24 commissions paid pursuant to RCW 47.12.320 shall be deposited in the  
25 motor vehicle fund.

26 **Sec. 7.** RCW 47.12.064 and 1995 c 399 s 121 are each amended to  
27 read as follows:

28 (1) The department shall identify and catalog real property that is  
29 no longer required for department purposes and is suitable for the  
30 development of affordable housing for very low-income~~((r))~~ and low-  
31 income~~((r and moderate income))~~ households or for housing for special  
32 needs populations as defined in RCW 43.63A.510 (as recodified by this  
33 act). The inventory ~~((shall include the location, approximate size,~~  
34 ~~and current zoning classification of the property. The department~~  
35 ~~shall provide a copy of the inventory to the department of community,~~  
36 ~~trade, and economic development by November 1, 1993, and every November~~

1 ~~1~~ thereafter)) must include information required under RCW  
2 43.63A.510(1) (as recodified by this act).

3 ~~(2) ((By November 1 of each year, beginning in 1994,~~) Property for  
4 sale, which is suitable for affordable housing or for housing for  
5 special needs populations and is included in the inventory as required  
6 in subsection (1) of this section, must be offered to eligible  
7 organizations as defined in RCW 43.63A.510 (as recodified by this act),  
8 as required in RCW 43.63A.510(3) (as recodified by this act).

9 (3) The department shall regularly purge the inventory of real  
10 property of sites that are no longer available for the development of  
11 affordable housing or for housing for special needs populations. The  
12 department shall include an updated listing of real property that has  
13 become available since the last update. ~~((As used in this section,~~  
14 ~~"real property" means buildings, land, or buildings and land.))~~

15 (4) Records of all sales of properties included in the inventory  
16 must be maintained as required in RCW 43.63A.510(4) (as recodified by  
17 this act).

18 (5) As used in this section, "real property" means buildings, land,  
19 or buildings and land.

20 **Sec. 8.** RCW 72.09.055 and 1995 c 399 s 202 are each amended to  
21 read as follows:

22 (1) The department shall identify and catalog real property that is  
23 no longer required for department purposes and is suitable for the  
24 development of affordable housing for very low-income(~~(,))~~ and low-  
25 income(~~(, and moderate income))~~ households or for housing for special  
26 needs populations as defined in RCW 43.63A.510 (as recodified by this  
27 act). The inventory ~~((shall include the location, approximate size,~~  
28 ~~and current zoning classification of the property. The department~~  
29 ~~shall provide a copy of the inventory to the department of community,~~  
30 ~~trade, and economic development by November 1, 1993, and every November~~  
31 ~~1 thereafter)) must include information required under RCW~~  
32 43.63A.510(1) (as recodified by this act).

33 ~~(2) ((By November 1 of each year, beginning in 1994,~~) Property for  
34 sale, which is suitable for affordable housing or for housing for  
35 special needs populations and is included in the inventory as required  
36 in subsection (1) of this section, must be offered to eligible

1 organizations as defined in RCW 43.63A.510 (as recodified by this act),  
2 as required in RCW 43.63A.510(3) (as recodified by this act).

3 (3) The department shall regularly purge the inventory of real  
4 property of sites that are no longer available for the development of  
5 affordable housing or for housing for special needs populations. The  
6 department shall include an updated listing of real property that has  
7 become available since the last update.

8 (4) Records of all sales of properties included in the inventory  
9 must be maintained as required in RCW 43.63A.510(4) (as recodified by  
10 this act).

11 (5) As used in this section, "real property" means buildings, land,  
12 or buildings and land.

13 **Sec. 9.** RCW 43.19.19201 and 1995 c 399 s 64 are each amended to  
14 read as follows:

15 (1) The department of general administration shall identify and  
16 catalog real property that is no longer required for department  
17 purposes and is suitable for the development of affordable housing for  
18 very low-income(~~(7)~~) and low-income(~~(7~~ and moderate income)) households  
19 or for housing for special needs populations as defined in RCW  
20 43.63A.510 (as recodified by this act). The inventory (~~(shall include~~  
21 ~~the location, approximate size, and current zoning classification of~~  
22 ~~the property. The department of general administration shall provide~~  
23 ~~a copy of the inventory to the department of community, trade, and~~  
24 ~~economic development by November 1, 1993, and every November 1~~  
25 ~~thereafter)) must include information required under RCW 43.63A.510(1)~~  
26 (as recodified by this act).

27 (2) (~~By November 1 of each year, beginning in 1994,~~) Property for  
28 sale, which is suitable for affordable housing or for housing for  
29 special needs populations and is included in the inventory as required  
30 in subsection (1) of this section, must be offered to eligible  
31 organizations as defined in RCW 43.63A.510 (as recodified by this act),  
32 as required in RCW 43.63A.510(3) (as recodified by this act).

33 (3) The department of general administration shall regularly purge  
34 the inventory of real property of sites that are no longer available  
35 for the development of affordable housing or for housing for special  
36 needs populations. The department shall include an updated listing of  
37 real property that has become available since the last update.

1 (4) Records of all sales of properties included in the inventory  
2 must be maintained as required in RCW 43.63A.510(4) (as recodified by  
3 this act).

4 (5) As used in this section, "real property" means buildings, land,  
5 or buildings and land.

6 **Sec. 10.** RCW 79A.05.170 and 1991 sp.s. c 13 s 23 are each amended  
7 to read as follows:

8 (1) Any lands owned by the state parks and recreation commission,  
9 which are determined to be surplus to the needs of the state for  
10 development for state park purposes and which the commission proposes  
11 to deed to a local government or other entity for outdoor recreation  
12 purposes, shall be accompanied by a clause requiring that if the land  
13 is not used for outdoor recreation purposes, ownership of the land  
14 shall revert to the state parks and recreation commission.

15 ~~((The state parks and recreation commission,))~~ In cases where  
16 land subject to ~~((such a reversionary clause is proposed for use or~~  
17 ~~disposal for purposes other than recreation, shall require that, if the~~  
18 ~~land))~~ reversion under subsection (1) of this section is surplus to the  
19 needs of the commission for park purposes at the time the commission  
20 becomes aware of its proposed use for nonrecreation purposes, the  
21 ~~((holder of the land or property shall reimburse the commission for the~~  
22 ~~release of the reversionary interest in the land. The reimbursement~~  
23 ~~shall be in the amount of the fair market value of the reversionary~~  
24 ~~interest as determined by a qualified appraiser agreeable to the~~  
25 ~~commission. Appraisal costs shall be borne by the local entity which~~  
26 ~~holds title to the land))~~ commission shall:

27 (a) Offer any surplus land for sale, which is suitable for  
28 affordable housing or for housing for special needs populations and is  
29 included in the inventory as required in section 12 of this act, to  
30 eligible organizations as defined in RCW 43.63A.510 (as recodified by  
31 this act), as required in RCW 43.63A.510(3) (as recodified by this  
32 act). If no acceptable purchase offers are made for the properties  
33 within the required initial offer period, the properties may be  
34 disposed of by the method provided in (b) of this subsection; and

35 (b) Except as provided in (a) of this subsection, dispose of  
36 surplus properties subject to reversion under subsection (1) of this  
37 section by the method provided in RCW 79A.05.175, or allow the holder

1 of the land or property to reimburse the commission for the release of  
2 the reversionary interest in the land. The reimbursement must equal  
3 the amount of the fair market value of the reversionary interest as  
4 determined by a qualified appraiser agreeable to the commission.  
5 Appraisal costs are borne by the local entity that holds title to the  
6 land.

7 (3) Any funds generated under (~~(a reimbursement under)~~) this  
8 section shall be deposited in the parkland acquisition account which is  
9 hereby created in the state treasury. Moneys in this account are to be  
10 used solely for the purchase or acquisition of property for use as  
11 state park property by the commission, as directed by the legislature;  
12 all such funds shall be subject to legislative appropriation.

13 **Sec. 11.** RCW 79A.05.175 and 2007 c 145 s 1 are each amended to  
14 read as follows:

15 Whenever the commission finds that any land under its control  
16 cannot advantageously be used for park purposes, it is authorized to  
17 dispose of such land by the method provided in this section or by the  
18 method provided in RCW 79A.05.170. If such lands are school or other  
19 grant lands, control thereof shall be relinquished by resolution of the  
20 commission to the proper state officials. If such lands were acquired  
21 under restrictive conveyances by which the state may hold them only so  
22 long as they are used for park purposes, they may be returned to the  
23 donor or grantors by the commission. All (~~(other such)~~) lands, which  
24 are suitable for affordable housing or for housing for special needs  
25 populations and are included in the inventory as required in section 12  
26 of this act, must be offered for sale to eligible organizations as  
27 defined in RCW 43.63A.510 (as recodified by this act), as required in  
28 RCW 43.63A.510(3) (as recodified by this act). After the required  
29 initial offer period, if no purchase offers are made on behalf of an  
30 eligible organization that meets the requirements of RCW 43.63A.510(3)  
31 (as recodified by this act), the commission may consider offers from  
32 the general public, and these lands, along with all other lands, may be  
33 either sold by the commission to the highest bidder or exchanged for  
34 other lands of equal value by the commission, and all conveyance  
35 documents shall be executed by the governor. All such exchanges shall  
36 be accompanied by a transfer fee, to be set by the commission and paid  
37 by the other party to the transfer; such fee shall be paid into the

1 parkland acquisition account established under RCW 79A.05.170. The  
2 commission may accept sealed bids, electronic bids, or oral bids at  
3 auction. Bids on all sales shall be solicited at least twenty days in  
4 advance of the sale date by an advertisement appearing at least once a  
5 week for two consecutive weeks in a newspaper of general circulation in  
6 the county in which the land to be sold is located. If the commission  
7 feels that no bid received adequately reflects the fair value of the  
8 land to be sold, it may reject all bids, and may call for new bids.  
9 All proceeds derived from the sale of such park property shall be paid  
10 into the park land acquisition account. All land considered for  
11 exchange shall be evaluated by the commission to determine its  
12 adaptability to park usage. The equal value of all lands exchanged  
13 shall first be determined by the appraisals to the satisfaction of the  
14 commission. No sale or exchange of state park lands shall be made  
15 without the unanimous consent of the commission.

16 NEW SECTION. **Sec. 12.** A new section is added to chapter 79A.05  
17 RCW to read as follows:

18 (1) The commission shall identify and catalog real property that is  
19 no longer required for commission purposes, as described in RCW  
20 79A.05.170 and 79A.05.175, and is suitable for the development of  
21 affordable housing for very low-income and low-income households or for  
22 housing for special needs populations as defined in RCW 43.63A.510 (as  
23 recodified by this act). The inventory must include the information  
24 required under RCW 43.63A.510(1) (as recodified by this act).

25 (2) Property for sale, which is suitable for affordable housing or  
26 for housing for special needs populations and is included in the  
27 inventory as required in subsection (1) of this section, must be  
28 offered to eligible organizations as defined in RCW 43.63A.510 (as  
29 recodified by this act), as required in RCW 43.63A.510(3) (as  
30 recodified by this act).

31 (3) The commission shall regularly purge the inventory of real  
32 property of sites that are no longer available for the development of  
33 affordable housing or for housing for special needs populations. The  
34 commission must include an updated listing of real property that has  
35 become available since the last update.

36 (4) Records of all sales of properties included in the inventory

1 must be maintained as required in RCW 43.63A.510(4) (as recodified by  
2 this act).

3 (5) As used in this section, "real property" means buildings, land,  
4 or buildings and land.

5 **Sec. 13.** RCW 79.11.005 and 2003 c 334 s 201 are each amended to  
6 read as follows:

7 (1) The department is authorized to sell (~~(any real property not~~  
8 ~~designated or acquired as)~~) state forest lands(~~(, but)~~) as defined in  
9 RCW 79.02.010 and other lands acquired by the state, either in the name  
10 of the forest board, the forestry board, or the division of forestry,  
11 for administrative sites, lien foreclosures, or other purposes whenever  
12 it (~~(shall)~~) determines that the lands are no longer or not necessary  
13 for public use.

14 (2) Property for sale, which is suitable for affordable housing or  
15 for housing for special needs populations and is included in the  
16 inventory as required in section 15 of this act, must be offered to  
17 eligible organizations as defined in RCW 43.63A.510 (as recodified by  
18 this act), as required in RCW 43.63A.510(3) (as recodified by this  
19 act). After the required initial offer period, if no acceptable  
20 purchase offers are made on behalf of an eligible organization that  
21 meets the requirements of RCW 43.63A.510(3) (as recodified by this  
22 act), the department may consider offers from the general public and  
23 sales to the general public may be conducted under subsection (3) of  
24 this section. For all properties for sale not included in the  
25 inventory as required in section 15 of this act, the department may  
26 immediately consider offers from the general public and sales to the  
27 general public may be conducted under subsection (3) of this section.

28 (3) The sale of property to the general public may be made after  
29 public notice to the highest bidder for such a price as approved by the  
30 governor, but not less than the fair market value of the real property,  
31 plus the value of improvements thereon. Any instruments necessary to  
32 convey title must be executed by the governor in a form approved by the  
33 attorney general.

34 (~~(+3)~~) (4) All amounts received from (~~(the sale)~~) all sales must  
35 be credited to the fund of the department of government that is  
36 responsible for the acquisition and maintenance of the property sold.



1       **Sec. 14.** RCW 79.22.060 and 2003 c 334 s 221 are each amended to  
2 read as follows:

3       (1) Except as provided in subsection (2) of this section, with the  
4 approval of the board, the department may directly transfer or dispose  
5 of state forest lands without public auction, if such lands consist of  
6 ten contiguous acres or less, or have a value of twenty-five thousand  
7 dollars or less. Such disposal may only occur in the following  
8 circumstances:

9       (a) Transfers in lieu of condemnation; and

10       (b) Transfers to resolve trespass and property ownership disputes.

11       (2) Property suitable for affordable housing or for housing for  
12 special needs populations, which is included in the inventory as  
13 required in section 15 of this act, must be offered to eligible  
14 organizations as defined in RCW 43.63A.510 (as recodified by this act),  
15 as required in RCW 43.63A.510(3) (as recodified by this act). After  
16 the required initial offer period, if no purchase offers are made on  
17 behalf of an eligible organization that meets the requirements of RCW  
18 43.63A.510 (as recodified by this act), the property may be transferred  
19 or sold as described in subsection (1) of this section.

20       (3) Real property to be transferred or disposed of under this  
21 section shall be transferred or disposed of only after appraisal and  
22 for at least fair market value, and only if such transaction is in the  
23 best interest of the state or affected trust.

24       ~~((3))~~ (4) The proceeds from real property transferred or disposed  
25 of under this section shall be deposited into the park land trust  
26 revolving fund and be solely used to buy replacement land within the  
27 same county as the property transferred or disposed.

28       NEW SECTION. **Sec. 15.** A new section is added to chapter 43.30 RCW  
29 to read as follows:

30       (1) The department of natural resources shall identify and catalog  
31 real property that is no longer required for department purposes and is  
32 suitable for the development of affordable housing for very low-income  
33 and low-income households or for housing for special needs populations  
34 as defined in RCW 43.63A.510 (as recodified by this act). The  
35 inventory must include the information required under RCW 43.63A.510(1)  
36 (as recodified by this act).

1 (2) Property for sale, which is suitable for affordable housing or  
2 for housing for special needs populations and is included in the  
3 inventory as required in subsection (1) of this section, must be  
4 offered to eligible organizations as defined in RCW 43.63A.510 (as  
5 recodified by this act), as required in RCW 43.63A.510(3) (as  
6 recodified by this act).

7 (3) The department shall regularly purge the inventory of real  
8 property of sites that are no longer available for the development of  
9 affordable housing or for housing for special needs populations. The  
10 department shall include an updated listing of real property that has  
11 become available since the last update.

12 (4) Records of all sales of properties included in the inventory  
13 must be maintained as required in RCW 43.63A.510(4) (as recodified by  
14 this act).

15 (5) As used in this section, "real property" means buildings, land,  
16 or buildings and land.

17 NEW SECTION. **Sec. 16.** If any part of this act is found to be in  
18 conflict with federal requirements that are a prescribed condition to  
19 the allocation of federal funds to the state, the conflicting part of  
20 this act is inoperative solely to the extent of the conflict and with  
21 respect to the agencies directly affected, and this finding does not  
22 affect the operation of the remainder of this act in its application to  
23 the agencies concerned. Rules adopted under this act must meet federal  
24 requirements that are a necessary condition to the receipt of federal  
25 funds by the state.

26 NEW SECTION. **Sec. 17.** RCW 43.63A.510 is recodified as a new  
27 section in chapter 43.31 RCW.

28 NEW SECTION. **Sec. 18.** The code reviser shall alphabetize the  
29 definitions in RCW 43.63A.510(2) (as recodified by this act).

30 NEW SECTION. **Sec. 19.** If specific funding for the purposes of  
31 this act, referencing this act by bill or chapter number, is not  
32 provided by June 30, 2008, in the omnibus appropriations act, this act  
33 is null and void."

**E2SHB 1332** - S COMM AMD

By Committee on Consumer Protection & Housing

1           On page 1, line 1 of the title, after "development;" strike the  
2 remainder of the title and insert "amending RCW 43.63A.510, 35.21.687,  
3 36.34.137, 43.20A.037, 47.12.063, 47.12.064, 72.09.055, 43.19.19201,  
4 79A.05.170, 79A.05.175, 79.11.005, and 79.22.060; adding a new section  
5 to chapter 79A.05 RCW; adding a new section to chapter 43.30 RCW;  
6 adding a new section to chapter 43.31 RCW; creating new sections; and  
7 recodifying RCW 43.63A.510."

EFFECT: School districts are no longer required to inventory their surplus land and offer it to eligible entities for affordable housing or community schools. All references to school districts are deleted.

--- END ---