
SENATE BILL 6349

State of Washington 63rd Legislature 2014 Regular Session

By Senators Roach, Angel, and Honeyford

Read first time 01/22/14. Referred to Committee on Governmental Operations.

1 AN ACT Relating to eminent domain; and amending RCW 35.81.080.

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

3 **Sec. 1.** RCW 35.81.080 and 2002 c 218 s 8 are each amended to read
4 as follows:

5 (1) A municipality shall have the right to acquire by condemnation,
6 in accordance with the procedure provided for condemnation by such
7 municipality for other purposes, any interest in real property, which
8 it may deem necessary for a community renewal project under this
9 chapter after the adoption by the local governing body of a resolution
10 declaring that the acquisition of the real property described therein
11 is necessary for such purpose. Condemnation for community renewal of
12 blighted areas is declared to be a public use, and property already
13 devoted to any other public use or acquired by the owner or a
14 predecessor in interest by eminent domain may be condemned for the
15 purposes of this chapter.

16 (2) In any judicial action to condemn blighted areas, a
17 municipality may not condemn any aggregate area of real property unless
18 the municipality:

1 (a) Demonstrates that each separate and distinct interest in real
2 property within the aggregate area poses an identifiable threat to
3 public health, safety, or welfare by reason of the unsanitary, unsafe,
4 or substandard condition of the premises, or the unlawful use thereof;
5 and

6 (b) Demonstrates that reasonable actions to mitigate the threat or
7 conditions have been attempted with no substantial improvement in the
8 condition of the property. Reasonable actions may include but are not
9 limited to administrative actions by the municipality, court actions
10 other than condemnation proceedings, actions by the owner of the
11 premises to come into compliance with code, and other reasonable
12 accommodations.

13 (3) The award of compensation for real property taken for such a
14 project shall not be increased by reason of any increase in the value
15 of the real property caused by the assembly, clearance, or
16 reconstruction, or proposed assembly, clearance, or reconstruction in
17 the project area. No allowance shall be made for the improvements
18 begun on real property after notice to the owner of such property of
19 the institution of proceedings to condemn such property. Evidence
20 shall be admissible bearing upon the insanitary, unsafe, or substandard
21 condition of the premises, or the unlawful use thereof.

--- END ---