H-3017.1

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**HOUSE BILL 2491**

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**State of Washington 68th Legislature 2024 Regular Session**

**By** Representative Fey

AN ACT Relating to modifying allowable terms for the lease of unused highway land; and amending RCW 47.12.120.

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

**Sec.**  RCW 47.12.120 and 2022 c 59 s 1 are each amended to read as follows:

(1) The department may rent or lease any lands, improvements, or air space above or below any lands that are held for highway purposes but are not presently needed. The rental or lease:

((~~(1)~~)) (a) Must be upon such terms and conditions as the department may determine;

((~~(2)~~)) (b) Is subject to the provisions and requirements of zoning ordinances of political subdivisions of government;

((~~(3)~~)) (c) Includes lands used or to be used for both limited access and conventional highways that otherwise meet the requirements of this section;

((~~(4)~~)) (d) In the case of bus shelters provided by a local transit authority that include commercial advertising, may charge the transit authority only for commercial space; ((~~and~~

~~(5)~~)) (e) In the case of the project for community purposes established in RCW 47.12.380, must be consistent with the provisions of that section; and

(f) In the case of a public agency or a community-based nonprofit organization using the property to serve community purposes, at the department's discretion, the economic rent due may be offset for social, environmental, or economic benefits provided by the lessee.

(2) For the purposes of this section, "community purposes" involves use of the property to provide:

(a) Housing and ancillary improvements;

(b) Parks;

(c) Enhanced public spaces; or

(d) Public recreation.

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