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SENATE BILL 5137

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State of Washington

56th Legislature

1999 Regular Session

By Senator Roach

Read first time 01/13/1999. Referred to Committee on Judiciary.

1 AN ACT Relating to abatement of drug nuisances; and amending RCW  
2 7.43.080.

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

4 **Sec. 1.** RCW 7.43.080 and 1988 c 141 s 11 are each amended to read  
5 as follows:

6 (1) Except as provided in subsection (2) of this section, if the  
7 existence of the nuisance is established in the action, an order of  
8 abatement shall be entered as part of the final judgment in the case.  
9 Plaintiff's costs in the action, including those of abatement, are a  
10 lien upon the building or unit within a building. The lien is  
11 enforceable and collectible by execution issued by order of the court.

12 (2) If the court finds and concludes that the owner of the building  
13 or unit within a building: (a) Had no knowledge of the existence of  
14 the nuisance or has been making reasonable efforts to abate the  
15 nuisance, (b) has not been guilty of any contempt of court in the  
16 proceedings, and (c) will immediately abate any such nuisance that may  
17 exist at the building or unit within a building (~~and prevent it from  
18 being a nuisance within a period of one year thereafter~~), the court  
19 shall, if satisfied of the owner's good faith, order the building or

1 unit within a building to be delivered to the owner, and no order of  
2 abatement shall be entered. If an order of abatement has been entered  
3 and the owner subsequently meets the requirements of this subsection,  
4 the order of abatement shall be canceled.

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