

SENATE BILL REPORT

SB 6267

As Reported By Senate Committee On:
Government Operations & Elections, January 23, 2006

Title: An act relating to information regarding certain public facilities and services.

Brief Description: Requiring information regarding certain public facilities and services to be made available.

Sponsors: Senator Kastama.

Brief History:

Committee Activity: Government Operations & Elections: 1/17/06, 1/23/06 [DP, w/oRec].

SENATE COMMITTEE ON GOVERNMENT OPERATIONS & ELECTIONS

Majority Report: Do pass.

Signed by Senators Kastama, Chair; Roach, Ranking Minority Member; Fairley, Haugen, McCaslin and Pridemore.

Minority Report: That it be referred without recommendation.

Signed by Senator Benton.

Staff: Genevieve Pisarski (786-7488)

Background: Washington's real estate disclosure law was adopted in 1994 and requires sellers of residential real property to disclose to prospective buyers specified information about the condition of the property using a specified format. The seller is obligated only to provide information of which the seller has actual knowledge. The obligation is limited to the seller, does not extend to any person representing the seller, applies only to disclosure of information, and is not considered a warranty by the seller.

Since 2005, the format of the seller disclosure statement includes a notice to the buyer that information about the presence of registered sex offenders in the area can be obtained from local law enforcement agencies.

The seller disclosure statement does not currently include information about public facilities and services such as emergency response time for law enforcement, level of service standards for transportation facilities, and level of service standards for public schools. For law enforcement this information is kept by the local law enforcement agencies. For transportation, it is a required part of the transportation element in comprehensive plans of local jurisdictions that plan under the Growth Management Act. For public schools, it is kept by local school districts.

Summary of Bill: A section is added to the residential real property seller disclosure statement regarding law enforcement, transportation, and public schools. For law enforcement, the required disclosure is of emergency response time as included in the land use

element of the local jurisdiction's comprehensive plan (local plan). For transportation, the required disclosure is of the existing level of service for locally owned arterials, transit routes, and state highways as included in the transportation element of the local plan. For public schools, the required disclosure is of the existing level of service for elementary and high schools as included in the land use element of the local plan.

For lands designated for residential use, local jurisdictions that plan under the Growth Management Act are required to include response time for law enforcement and existing levels of service for public schools in the land use element of their local plan.

Appropriation: None.

Fiscal Note: Not requested.

Committee/Commission/Task Force Created: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Testimony For: None.

Testimony Against: These requirements are too onerous. A seller wouldn't know where to find response time, what level of service means, whether level of service standards for schools even exist, and which jurisdictions apply. A notice to buyers that they could look for this information, similar to the approach used for information about registered sex offenders, would be better.

Who Testified: PRO: No one.

CON: Bill Riley, Washington Realtors.