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SENATE BILL 6442

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State of Washington

59th Legislature

2006 Regular Session

By Senators Shin and Schmidt

Read first time 01/12/2006. Referred to Committee on Government Operations & Elections.

1 AN ACT Relating to the transfer of certain real property and  
2 facilities acquired, constructed, or improved using Referendum 29 or 37  
3 bonds; and adding a new section to chapter 43.20A RCW.

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

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 43.20A RCW  
6 to read as follows:

7 (1) Public bodies, as defined in RCW 43.99C.020, may transfer real  
8 property and facilities acquired, constructed, or otherwise improved  
9 under chapter 43.99C RCW to nonprofit corporations organized to provide  
10 services for individuals with sensory, physical, or mental handicaps.  
11 The nonprofit corporation shall use the real property and facilities  
12 for the purpose of providing the following limited programs as  
13 designated by the department: Nonprofit group training homes,  
14 community centers, close to home living units, sheltered workshops,  
15 vocational rehabilitation centers, developmental disability training  
16 centers, and community homes for the mentally ill.

17 (2) Public bodies, as defined in RCW 43.83D.050, may transfer real  
18 property and facilities acquired, constructed, or otherwise improved  
19 under chapter 43.83D RCW to nonprofit corporations organized to provide

1 individuals with social and health services. The nonprofit corporation  
2 shall use the real property and facilities for the purpose of providing  
3 the following programs as designated by the department: Facilities for  
4 social services, adult and juvenile correction or detention, child  
5 welfare, day care, drug abuse and alcoholism treatment, mental health,  
6 public health, developmental disabilities, and vocational  
7 rehabilitation.

8 (3) The deed transferring the property in subsections (1) and (2)  
9 of this section must provide for reversion back to the public body if  
10 the nonprofit corporation is found to be out of compliance with this  
11 section.

12 (4) The nonprofit corporation is authorized to sell the property  
13 transferred to it in subsections (1) and (2) of this section provided  
14 that: (a) Any such sale must be subject to prior written approval by  
15 the department; (b) all proceeds from such a sale must be applied to  
16 the purchase price of a different facility or facilities of equal or  
17 greater value than the original facility; (c) any new facility or  
18 facilities must be used for the purposes stated in subsections (1) and  
19 (2) of this section; (d) the new facility or facilities must be  
20 available for use within one year of sale; and (e) the reversion  
21 language in subsection (3) of this section applies to the new facility  
22 or facilities.

23 (5) In the event the nonprofit corporation is found to be out of  
24 compliance with this section, the real property and facilities revert  
25 to the public body. The public body shall then determine if the assets  
26 can be used by another program as designated by the department. Such  
27 programs shall have priority in obtaining the assets to ensure the  
28 purposes specified in chapters 43.99C and 43.83D RCW are carried out.

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