
SENATE BILL 6634

State of Washington 60th Legislature 2008 Regular Session

By Senators Benton and Carrell

Read first time 01/21/08. Referred to Committee on Judiciary.

1 AN ACT Relating to the taking of private property for a public use
2 pertinent to public health, safety, and welfare; and adding a new
3 chapter to Title 8 RCW.

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

5 NEW SECTION. **Sec. 1.** The legislature finds that while
6 Washington's Constitution expressly prohibits the use of eminent domain
7 to transfer private property to another private owner for the purpose
8 of increasing tax revenues, Washington courts continue to allow the use
9 of eminent domain to be transferred to uses that are in fact private in
10 nature.

11 The legislature therefore declares that government's use of eminent
12 domain power in Washington should be restricted to uses that protect
13 public health and safety or provide public use facilities, such as
14 streets, roads, highways, lighting systems for roadways, traffic
15 signals, transportation corridors, utility corridors, water systems,
16 storm and sanitary sewer systems, sewage treatment facilities,
17 landfills, park and recreational facilities, and schools.

1 NEW SECTION. **Sec. 2.** No government shall take or damage private
2 land or any interest in real property that is not to be used expressly
3 for the construction of a public use facility or the provision of a
4 public service necessary to protect public health and safety.

5 NEW SECTION. **Sec. 3.** Sections 1 and 2 of this act constitute a
6 new chapter in Title 8 RCW.

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