

# FINAL BILL REPORT

## HB 1048

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Synopsis as Enacted

**Brief Description:** Repealing provisions addressing the sale, lease, or conveyance of municipal property in commercial areas to private parties for free public parking facilities in cities with populations over three hundred thousand.

**Sponsors:** Representatives Simpson, Hudgins, Nelson, Santos, Chase and Kenney.

**House Committee on Local Government & Housing**  
**Senate Committee on Government Operations & Elections**

### **Background:**

Chapter 35.87 of the Revised Code of Washington regulates real estate transactions by certain large municipalities regarding the conveyance of specified types of real property to a private corporation or association established to develop and maintain free public parking facilities. The statutory scheme applies only to those municipalities with populations exceeding 300,000 which, subject to specified requirements, must allow a qualifying corporation or association the first right of purchase or lease with respect to the acquisition of an interest in the property.

The conveyance of the property interest by the municipality is subject to the following terms and requirements:

- the property must be in an area zoned for retail businesses and no longer be used or needed by the municipality;
- in order to be given first priority with respect to acquiring the property, the purchaser must be a private corporation or association established to develop and maintain free public parking facilities and must agree to dedicate the property for free public parking;
- the municipality has complete discretion as to the price, terms, and conditions of sale to a qualifying corporation or association, except that the price may not exceed the fair market value of the property;
- if the property is conveyed to a qualifying corporation or association, the instrument of conveyance must provide that the rights to the property shall revert back to the municipality in the event the property ceases to be used as a free public parking facility;

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- fifteen days prior to sale, the municipality must meet specified public notice requirements which include a description of the property and the disclosure of the municipalities intention to sell, lease, or convey an interest in the property; and
- the public notice of sale must state that a qualifying corporation or association shall have the first right of purchase or lease of the property provided the corporation or association agrees to dedicate such property for free public parking.

The statutory provisions set forth in the chapter are not applicable with respect to the sale, lease, or conveyance of property to any federal, state, or municipal entity or agency.

**Summary:**

Chapter 35.87 RCW is repealed in its entirety.

**Votes on Final Passage:**

House	95	0
Senate	45	0

**Effective:** July 26, 2009