

CERTIFICATION OF ENROLLMENT

**HOUSE BILL 1277**

Chapter 120, Laws of 2013

63rd Legislature  
2013 Regular Session

TRIBES--CONSERVATION EASEMENTS

EFFECTIVE DATE: 07/28/13

Passed by the House April 18, 2013  
Yeas 73 Nays 21

FRANK CHOPP

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**Speaker of the House of Representatives**

Passed by the Senate April 15, 2013  
Yeas 48 Nays 0

BRAD OWEN

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**President of the Senate**

Approved May 3, 2013, 11:10 a.m.

JAY INSLEE

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**Governor of the State of Washington**

CERTIFICATE

I, Barbara Baker, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **HOUSE BILL 1277** as passed by the House of Representatives and the Senate on the dates hereon set forth.

BARBARA BAKER

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**Chief Clerk**

FILED

May 3, 2013

**Secretary of State  
State of Washington**

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HOUSE BILL 1277

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AS AMENDED BY THE SENATE

Passed Legislature - 2013 Regular Session

State of Washington

63rd Legislature

2013 Regular Session

By Representatives Sawyer, Zeiger, McCoy, Angel, Appleton, Morris, Kirby, Maxwell, Santos, Lias, Tarleton, Freeman, Morrell, Riccelli, Wilcox, Lytton, Jenkins, Ryu, Dahlquist, Fey, Pollet, and Ormsby

Read first time 01/22/13. Referred to Committee on Community Development, Housing & Tribal Affairs.

1 AN ACT Relating to tribes holding conservation easements; and  
2 amending RCW 64.04.130.

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

4 **Sec. 1.** RCW 64.04.130 and 1987 c 341 s 1 are each amended to read  
5 as follows:

6 A development right, easement, covenant, restriction, or other  
7 right, or any interest less than the fee simple, to protect, preserve,  
8 maintain, improve, restore, limit the future use of, or conserve for  
9 open space purposes, any land or improvement on the land, whether the  
10 right or interest be appurtenant or in gross, may be held or acquired  
11 by any state agency, federal agency, county, city, town, federally  
12 recognized Indian tribe, or metropolitan municipal corporation,  
13 nonprofit historic preservation corporation, or nonprofit nature  
14 conservancy corporation. Any such right or interest (~~shall~~)  
15 constitutes and (~~be~~) is classified as real property. All instruments  
16 for the conveyance thereof (~~shall~~) must be substantially in the form  
17 required by law for the conveyance of any land or other real property.

18 (~~As used in this section,~~) The definitions in this section apply  
19 throughout this section unless the context clearly requires otherwise.

1        (1) "Nonprofit nature conservancy corporation" means an  
2 organization which qualifies as being tax exempt under 26 U.S.C.  
3 section 501(c)(3) (of the United States Internal Revenue Code of 1954,  
4 as amended) as it existed on June 25, 1976, and which has as one of its  
5 principal purposes the conducting or facilitating of scientific  
6 research; the conserving of natural resources, including but not  
7 limited to biological resources, for the general public; or the  
8 conserving of natural areas including but not limited to wildlife or  
9 plant habitat.

10        (~~As used in this section,~~) (2) "Nonprofit historic preservation  
11 corporation" means an organization which qualifies as being tax exempt  
12 under 26 U.S.C. section 501(c)(3) of the United States Internal Revenue  
13 Code of 1954, as amended, and which has as one of its principal  
14 purposes the conducting or facilitating of historic preservation  
15 activities within the state, including conservation or preservation of  
16 historic sites, districts, buildings, and artifacts.

Passed by the House April 18, 2013.

Passed by the Senate April 15, 2013.

Approved by the Governor May 3, 2013.

Filed in Office of Secretary of State May 3, 2013.