

SENATE BILL REPORT

SB 5365

As Reported by Senate Committee On:
Transportation, February 6, 2017

Title: An act relating to relocation assistance for persons displaced by agency property acquisitions.

Brief Description: Concerning relocation assistance for persons displaced by agency property acquisitions.

Sponsors: Senators King, Hobbs, Liias and Wilson; by request of Department of Transportation.

Brief History:

Committee Activity: Transportation: 1/31/17, 2/06/17 [DP].

Brief Summary of Bill

- Adjusts relocation assistance payment limits.
- Adjusts the time period an owner-occupant must have occupied a dwelling in order to qualify for a replacement housing payment.

SENATE COMMITTEE ON TRANSPORTATION

Majority Report: Do pass.

Signed by Senators King, Chair; Sheldon, Vice Chair; Hobbs, Ranking Minority Member; Liias, Assistant Ranking Minority Member; Cleveland, Fortunato, Hawkins, O'Ban, Takko, Van De Wege, Walsh and Wilson.

Staff: Kim Johnson (786-7472)

Background: Property acquisition for public projects is governed by both federal and state law. In 1970, Congress adopted the Uniform Relocation Assistance and Real Property Acquisition Policies Act (Uniform Act) and the Washington State Legislature followed suit with a state version of the federal law in 1971. Relocation assistance generally addresses the costs incurred by a property owner moving a residence, business, farm operation, or other personal property when real property is being acquired for a public purpose.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Generally, federal law requires that relocation assistance and acquisition laws apply to all state and local governments engaged in projects which are funded in whole or in part by federal monies. The federal transportation funding reauthorization act entitled the Moving Ahead for Progress in the 21st Century Act (MAP-21) amended the Uniform Act regarding certain dollar and time thresholds, which became effective in October 2014. The specific changes that impact the state relocation assistance payment limits or qualifications include:

- limit applicable to reimbursement of moving and reestablishment expenses;
- limit applicable to the fixed lump sum payment in lieu of moving expenses option;
- limit on replacement housing payment to owner-occupant and tenant-occupant; and
- amount of time an owner-occupant must have owned the dwelling prior to initiation of negotiation for acquisition of the dwelling to qualify for replacement housing payment.

Summary of Bill: The statutory caps are adjusted to meet current federal law for the following relocation assistance related payments:

Type of Assistance	Current State Limit	Proposed New Limit
Business reestablishment/ moving expenses	Up to \$50,000	The greater of the state \$50,000 or federal dollar limit
Fixed payment in lieu of moving expenses	\$20,000	\$40,000
Replacement housing payment time owner- occupant	\$22,500	\$31,000
Replacement housing payment to tenant- occupant	\$5,250	\$7,250

Language is added to all of the state payment limits in the table above allowing the Washington State Department of Transportation to incorporate by rule changes in the federal Uniform Act that would impact the limits in state law.

The length of time an owner-occupant must have occupied a dwelling prior to negotiation of acquisition beginning in order to qualify for replacement housing payment is reduced from 180 days to 90 days.

Appropriation: None.

Fiscal Note: Available.

Creates Committee/Commission/Task Force that includes Legislative members: No.

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

Staff Summary of Public Testimony: PRO: This bill brings state law into compliance with federal law. MAP-21 made several changes to the Uniform Act which impact the state Relocation Assistance Program. In order to be able to use federal-aid highway funds on a

project, WSDOT must comply with the federal statutory requirements for providing relocation assistance to displaced persons. WSDOT typically follows federal requirements, even on what is presumed to be state-funded project because federal funds may be added to the project at any time by WSDOT or the Legislature.

Persons Testifying: PRO: Travis Snell, WSDOT/Government Relations Liaison.

Persons Signed In To Testify But Not Testifying: No one.