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SENATE BILL 5049

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State of Washington

65th Legislature

2017 Regular Session

By Senator King

Read first time 01/11/17. Referred to Committee on Transportation.

1 AN ACT Relating to relocation assistance following real property  
2 acquisition; and amending RCW 8.26.010.

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

4 **Sec. 1.** RCW 8.26.010 and 1988 c 90 s 1 are each amended to read  
5 as follows:

6 (1) The purposes of this chapter are:

7 (a) To establish a uniform policy for the fair and equitable  
8 treatment of persons displaced as a direct result of public works  
9 programs of the state and local governments in order that such  
10 persons shall not suffer disproportionate injuries as a result of  
11 programs designed for the benefit of the public as a whole and to  
12 minimize the hardship of displacement on such persons;

13 (b) To encourage and expedite the acquisition of real property  
14 for public works programs by agreements with owners, to reduce  
15 litigation and relieve congestion in the courts, to assure consistent  
16 treatment for owners affected by state and local programs, and to  
17 promote public confidence in state and local land acquisition  
18 practices.

19 (c) To require the state, local public agencies, and other  
20 persons who have the authority to acquire property by eminent domain  
21 under state law to comply with the provisions of this act in order to

1 assure the fair and equitable treatment of all persons and property  
2 owners impacted by public projects.

3 ~~(2) ((Notwithstanding the provisions and limitations of this~~  
4 ~~chapter requiring a local public agency to comply with the provisions~~  
5 ~~of this chapter, the governing body of any local public agency may~~  
6 ~~elect not to comply with the provisions of RCW 8.26.035 through~~  
7 ~~8.26.115 in connection with a program or project not receiving~~  
8 ~~federal financial assistance. Any person who has the authority to~~  
9 ~~acquire property by eminent domain under state law may elect not to~~  
10 ~~comply with RCW 8.26.180 through 8.26.200 in connection with a~~  
11 ~~program or project not receiving federal financial assistance.~~

12 ~~(3))~~ Any determination by the head of a state agency or local  
13 public agency administering a program or project as to payments under  
14 this chapter is subject to review pursuant to chapter 34.05 RCW;  
15 otherwise, no provision of this chapter may be construed to give any  
16 person a cause of action in any court.

17 ~~((4))~~ (3) Nothing in this chapter may be construed as creating  
18 in any condemnation proceedings brought under the power of eminent  
19 domain, any element of value or of damage not in existence  
20 immediately before March 16, 1988.

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