H-1415.1

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**HOUSE BILL 1964**

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**State of Washington 66th Legislature 2019 Regular Session**

**By** Representatives Corry, Blake, Ybarra, Mosbrucker, Harris, McCaslin, Barkis, and Gildon

AN ACT Relating to requiring the written consent of a lessee before the department of natural resources may terminate a lease for reasons other than default; and amending RCW 79.13.420.

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

**Sec.**  RCW 79.13.420 and 2017 c 56 s 1 are each amended to read as follows:

(1) For the purposes of this section, "nondefault or early termination provision" means a provision that authorizes the department to terminate a lease in the event the department includes the leased land in a plan for higher and better use, land exchange, or sale.

(2) Any nondefault or early termination provision included in a state land lease for agricultural or grazing purposes must:

(a) Require advance written notice of at least one hundred eighty days by the department to the lessee prior to termination of the lease; and

(b) Require the department to provide to the lessee, along with the notice under (a) of this subsection, written documentation demonstrating that the department has included the leased land in a plan for higher and better use, land exchange, or sale.

(3) This section does not require the department to include a nondefault or early termination provision in any state land lease for agricultural or grazing purposes.

(4) This section does not prohibit the department from allowing the lessee to surrender the leasehold subject to terms provided in the lease.

(5) This section does not prohibit the department from executing other lease provisions designed to protect the interests of the lessee in the event that the lease is terminated under a nondefault or early termination provision.

(6) The department may not early terminate a lease, other than for default, without the written consent of the lessee.

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