

CERTIFICATION OF ENROLLMENT

HOUSE BILL 2315

Chapter 112, Laws of 2020

66th Legislature
2020 Regular Session

AIRCRAFT NOISE ABATEMENT--MITIGATION EQUIPMENT

EFFECTIVE DATE: June 11, 2020

Passed by the House March 7, 2020
Yeas 97 Nays 0

LAURIE JINKINS

**Speaker of the House of
Representatives**

Passed by the Senate March 4, 2020
Yeas 47 Nays 0

CYRUS HABIB

President of the Senate

Approved March 25, 2020 2:59 PM

JAY INSLEE

Governor of the State of Washington

CERTIFICATE

I, Bernard Dean, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **HOUSE BILL 2315** as passed by the House of Representatives and the Senate on the dates hereon set forth.

BERNARD DEAN

Chief Clerk

FILED

March 26, 2020

**Secretary of State
State of Washington**

HOUSE BILL 2315

AS AMENDED BY THE SENATE

Passed Legislature - 2020 Regular Session

State of Washington

66th Legislature

2020 Regular Session

By Representatives Orwall, Fitzgibbon, and Pellicciotti

Prefiled 01/08/20. Read first time 01/13/20. Referred to Committee on Local Government.

1 AN ACT Relating to repairing and replacing mitigation equipment
2 installed as part of a remedial program within an impacted area; and
3 amending RCW 53.54.030.

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

5 **Sec. 1.** RCW 53.54.030 and 1993 c 150 s 1 are each amended to
6 read as follows:

7 For the purposes of this chapter, in developing a remedial
8 program, the port commission may utilize one or more of the following
9 programs:

10 (1) Acquisition of property or property rights within the
11 impacted area, which shall be deemed necessary to accomplish a port
12 purpose. The port district may purchase such property or property
13 rights by time payment notwithstanding the time limitations provided
14 for in RCW 53.08.010. The port district may mortgage or otherwise
15 pledge any such properties acquired to secure such transactions. The
16 port district may assume any outstanding mortgages.

17 (2) Transaction assistance programs, including assistance with
18 real estate fees and mortgage assistance, and other neighborhood
19 remedial programs as compensation for impacts due to aircraft noise
20 and noise associated conditions. Any such programs shall be in
21 connection with properties located within an impacted area and shall

1 be provided upon terms and conditions as the port district shall
2 determine appropriate.

3 (3) Programs of soundproofing structures located within an
4 impacted area. Such programs may be executed without regard to the
5 ownership, provided the owner waives damages and conveys an easement
6 for the operation of aircraft, and for noise and noise associated
7 conditions therewith, to the port district.

8 (4) Mortgage insurance of private owners of lands or improvements
9 within such noise impacted area where such private owners are unable
10 to obtain mortgage insurance solely because of noise impact. In this
11 regard, the port district may establish reasonable regulations and
12 may impose reasonable conditions and charges upon the granting of
13 such mortgage insurance: PROVIDED, That such fees and charges shall
14 at no time exceed fees established for federal mortgage insurance
15 programs for like service.

16 (5) (a) An individual property may be provided benefits by the
17 port district under each of the programs described in subsections (1)
18 through (4) of this section. However, an individual property may not
19 be provided benefits under any one of these programs more than once,
20 unless the property ~~((is))~~:

21 (i) Is subjected to increased aircraft noise or differing
22 aircraft noise impacts that would have afforded different levels of
23 mitigation, even if the property owner had waived all damages and
24 conveyed a full and unrestricted easement; or

25 (ii) Contains a soundproofing installation, structure, or other
26 type of sound mitigation equipment product or benefit previously
27 installed pursuant to the remedial program under this chapter by the
28 port district that is determined through inspection to be in need of
29 a repair or replacement.

30 (b) Port districts choosing to exercise the authority under
31 (a)(ii) of this subsection are required to conduct inspections of
32 homes where mitigation improvements are no longer working as
33 intended. In those properties, port districts must work with a state
34 certified building inspector to determine whether package failure
35 resulted in additional hazards or structural damage to the property.

36 (6) Management of all lands, easements, or development rights
37 acquired, including but not limited to the following:

38 (a) Rental of any or all lands or structures acquired;

1 (b) Redevelopment of any such lands for any economic use
2 consistent with airport operations, local zoning and the state
3 environmental policy;

4 (c) Sale of such properties for cash or for time payment and
5 subjection of such property to mortgage or other security
6 transaction: PROVIDED, That any such sale shall reserve to the port
7 district by covenant an unconditional right of easement for the
8 operation of all aircraft and for all noise or noise conditions
9 associated therewith.

10 (7) A property shall be considered within the impacted area if
11 any part thereof is within the impacted area.

Passed by the House March 7, 2020.

Passed by the Senate March 4, 2020.

Approved by the Governor March 25, 2020.

Filed in Office of Secretary of State March 26, 2020.

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