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**SENATE BILL 5142**

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**State of Washington**

**69th Legislature**

**2025 Regular Session**

**By** Senator Hasegawa

Prefiled 01/07/25.

1 AN ACT Relating to providing owners of real estate taken through  
2 eminent domain by school districts, or sold under threat of eminent  
3 domain, the opportunity to purchase the real estate back when it is  
4 not put to intended public use; adding a new section to chapter 8.16  
5 RCW; and creating a new section.

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

7 NEW SECTION. **Sec. 1.** A new section is added to chapter 8.16 RCW  
8 to read as follows:

9 (1) For purposes of this section, real estate is acquired under  
10 threat of condemnation when a school district purchases the real  
11 estate without a judgment having been entered in a condemnation  
12 action brought under this chapter and the school district sends the  
13 property owner a written notice indicating an intent to pursue a  
14 condemnation action to acquire the real estate.

15 (2) At the time of an acquisition of real estate under threat of  
16 condemnation, or within a reasonable time after, a school district  
17 shall provide the previous property owner or owners a written  
18 statement identifying the use for which the property is being  
19 acquired.

20 (3) Before real estate acquired in a condemnation action brought  
21 under this chapter, or acquired under threat of condemnation, may be

1 sold, transferred, or put to a use other than as a site for a  
2 schoolhouse, or as additional grounds to an existing schoolhouse  
3 site, the school district shall send a written offer by certified  
4 mail to the previous owner or owners at their last known addresses,  
5 offering to sell the acquired real estate to the previous owner or  
6 owners in exchange for the amount paid by the school district to the  
7 clerk of the court as compensation for the real estate taken, or, in  
8 the case of property acquired under threat of condemnation, for the  
9 purchase price paid by the school district.

10 (4) Once the school district puts acquired real estate to use as  
11 a site for a schoolhouse, or as additional grounds to an existing  
12 schoolhouse site, its obligations under subsection (3) of this  
13 section terminate, even if the acquired real estate is subsequently  
14 put to a use other than as a site for a schoolhouse or as additional  
15 grounds to an existing schoolhouse site.

16 (5) A property owner may waive the rights to receive notice and  
17 to purchase back the acquired real estate by executing a written  
18 waiver.

19 NEW SECTION. **Sec. 2.** This act may be known and cited as the  
20 Houston eminent domain fairness act.

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