
HOUSE BILL 1959

State of Washington

65th Legislature

2017 Regular Session

By Representatives Harmsworth, Pollet, Young, and Van Werven

1 AN ACT Relating to requiring a public hearing before a local
2 government may remove a restrictive covenant from land owned by the
3 local government; adding a new section to chapter 35.21 RCW; adding a
4 new section to chapter 35A.21 RCW; adding a new section to chapter
5 36.01 RCW; and creating new sections.

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

7 NEW SECTION. **Sec. 1.** This act may be known and cited as the
8 land covenant preservation and transparency act.

9 NEW SECTION. **Sec. 2.** The legislature finds that many pieces of
10 property are provided to government agencies as part of agreements in
11 which the land includes restrictive covenants. There is a desire that
12 government agencies become more transparent when they want to change
13 the use of property that has covenants that restrict what can be done
14 with property, especially if the property was a gift to be used for
15 parks, open space, habitat, or environmental mitigation and
16 conservation. The legislature declares that any local government
17 agency that intends to remove restrictive covenants from real
18 property owned by the agency must do so through an open process in
19 which citizens are made aware of the agency's intent to remove or
20 modify the restrictive covenant before the legal action occurs.

1 allow individuals to provide testimony regarding the proposed action.
2 The county must provide notice of the public hearing at least ten
3 days before the hearing at its usual place of business and issue a
4 press release to local media providing the date, time, location, and
5 reason for the public hearing. The notice must be posted on the
6 county's web site if it is updated for any reason before the hearing.
7 The notice must also identify the property and provide a brief
8 explanation of the restrictive covenant to be removed, vacated, or
9 extinguished. Any member of the public, in person or by counsel, may
10 submit testimony regarding the proposed action at the public hearing.

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