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SENATE BILL 5051

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State of Washington

65th Legislature

2017 Regular Session

By Senators Brown, Warnick, and Honeyford

1 AN ACT Relating to nondefault termination provisions in state  
2 land leases for agricultural or grazing purposes; and adding a new  
3 section to chapter 79.13 RCW.

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

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 79.13  
6 RCW to read as follows:

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

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

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

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

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

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

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

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