

CERTIFICATION OF ENROLLMENT

HOUSE BILL 1079

Chapter 14, Laws of 1993

53rd Legislature
1993 Regular Session

EMINENT DOMAIN JUDGMENTS--APPEAL NOT TO DELAY PROCEEDINGS

EFFECTIVE DATE: 4/12/93

Passed by the House February 22, 1993
Yeas 96 Nays 0

BRIAN EBERSOLE
**Speaker of the
House of Representatives**

Passed by the Senate March 27, 1993
Yeas 40 Nays 0

JOEL PRITCHARD
President of the Senate

Approved April 12, 1993

MIKE LOWRY
Governor of the State of Washington

CERTIFICATE

I, Alan Thompson, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **HOUSE BILL 1079** as passed by the House of Representatives and the Senate on the dates hereon set forth.

ALAN THOMPSON
Chief Clerk

FILED

April 12, 1993 - 3:38 p.m.

**Secretary of State
State of Washington**

HOUSE BILL 1079

Passed Legislature - 1993 Regular Session

State of Washington 53rd Legislature 1993 Regular Session

By Representatives Appelwick, Padden, Ludwig, Orr, Basich and Johanson;
by request of Law Revision Commission

Read first time 01/13/93. Referred to Committee on Judiciary.

1 AN ACT Relating to review of eminent domain judgments; amending RCW
2 8.12.200; and declaring an emergency.

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

4 **Sec. 1.** RCW 8.12.200 and 1988 c 202 s 10 are each amended to read
5 as follows:

6 Any final judgment or judgments rendered by said court upon any
7 finding or findings of any jury or juries, or upon any finding or
8 findings of the court in case a jury be waived, shall be lawful and
9 sufficient condemnation of the land or property to be taken, or of the
10 right to damage the same in the manner proposed, upon the payment of
11 the amount of such findings and all costs which shall be taxed as in
12 other civil cases, provided that in case any defendant recovers no
13 damages, no costs shall be taxed. Such judgment or judgments shall be
14 final and conclusive as to the damages caused by such improvement
15 unless appellate review is sought, and review of the same shall not
16 delay proceedings under said ordinance, if such city shall pay into
17 court for the owners and parties interested, as directed by the court,
18 the amount of the judgment and costs, and such city, after making such
19 payment into court, shall be liable to such owner or owners or parties

1 interested for the payment of any further compensation which may at any
2 time be finally awarded to such parties seeking review of said
3 proceeding, and his or her costs, and shall pay the same on the
4 rendition of judgment therefor, and abide any rule or order of the
5 court in relation to the matter in controversy. In case of review by
6 the supreme court or the court of appeals of the state by any party to
7 the proceedings the money so paid into the superior court by such city,
8 as aforesaid, shall remain in the custody of said superior court until
9 the final determination of the proceedings. If the owner of the land,
10 real estate, premises, or other property accepts the sum awarded by the
11 jury or the court, he shall be deemed thereby to have waived
12 conclusively appellate review and final judgment may be rendered in the
13 superior court as in other cases.

14 NEW SECTION. **Sec. 2.** This act is necessary for the immediate
15 preservation of the public peace, health, or safety, or support of the
16 state government and its existing public institutions, and shall take
17 effect immediately.

Passed the House February 22, 1993.

Passed the Senate March 27, 1993.

Approved by the Governor April 12, 1993.

Filed in Office of Secretary of State April 12, 1993.