
HOUSE BILL 1050

State of Washington

63rd Legislature

2013 Regular Session

By Representative Angel

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1 AN ACT Relating to authorizing government agencies to sell naming
2 rights of public facilities; amending RCW 43.34.090; and adding a new
3 chapter to Title 42 RCW.

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

5 NEW SECTION. **Sec. 1.** The legislature recognizes that in the past
6 government has allowed taxpayer resources to be invested in
7 public-private partnerships to build large stadiums where the private
8 entity contracted for the right to name the facility. The legislature
9 intends to provide additional opportunities for individuals to purchase
10 naming rights for facilities as a mechanism to alleviate the burden of
11 ongoing cost escalation on taxpayers.

12 NEW SECTION. **Sec. 2.** This act shall be known and cited as the
13 facilities naming act.

14 NEW SECTION. **Sec. 3.** The definitions in this section apply
15 throughout this chapter unless the context clearly requires otherwise.

16 (1) "Agency" includes all state and local entities funded directly
17 by taxpayer dollars including, but not limited to:

1 (a) Any state board, bureau, commission, committee, court,
2 department, division, educational institution, office, or other state
3 agency and its subdivisions that were created by or pursuant to
4 statute; and

5 (b) Any county, city, library, municipal corporation,
6 quasi-municipal corporation, school district, special purpose district,
7 town, or political subdivision of the state of Washington or its
8 subdivisions.

9 (2) "Facility" means any agency-owned real or personal property,
10 including but not limited to rooms, buildings, structures,
11 infrastructure, bridges, docks, parks, transportation corridors, or
12 portions thereof.

13 (3) "Naming right" means the contractual right provided to a person
14 to designate what name a facility will be known as, and provides the
15 ability to place appropriate signage of the name on or near the
16 facility. Each naming right must be time-limited.

17 NEW SECTION. **Sec. 4.** (1) Each agency is authorized to create
18 rules, regulations, or ordinances using its normal public process to
19 name or rename facilities, or portions thereof, that are under the
20 control of the agency unless there is a conflicting provision within
21 the Revised Code of Washington. In situations where there is a
22 conflicting section of the Revised Code of Washington naming a
23 facility, the provisions of this chapter are secondary or supplanted.
24 The agency adopted rules, regulations, or ordinances and all agency-
25 issued contracts authorizing the naming of facilities must contain
26 provisions to prevent use of names that may be offensive, indecent,
27 discriminatory, illegal, or result in censure or subject the agency to
28 shame or reproach.

29 (2) An agency may sell the naming right of a facility or portions
30 thereof if the agency's rules, ordinances, or regulations establish how
31 the fee or charge for the naming right will be established and includes
32 a sales process that is public and competitive.

33 (a) Any fee or charge for the naming right established pursuant to
34 this section must be established to minimally recover the costs to
35 provide the naming right. The amount may also include a market rate or
36 be sold at auction to optimize the amount of money the agency recovers
37 for the naming right.

1 (b) Any naming right that is paid for must be for a time duration
2 established in a written contract with an initial period not longer
3 than five years. The initial contract period may be renewed for
4 additional years, but not for time periods longer than five years.

5 (c) Purchasers of the naming right are responsible for paying for
6 all expenses necessary to implement the name change, including physical
7 signage. The agency must approve all physical sign changes before
8 installment of signs on the facility.

9 (3) Any revenue generated from the sale of a naming right must be
10 used to pay for debt, improvements, operations, or maintenance for the
11 named facility. It is the obligation of the agency to document and
12 apply the revenue in accordance with this section and the state
13 administrative and accounting manual.

14 (4) An agency should not offer to sell naming rights of a facility
15 if such rights would create a legal conflict with tenants or lessees of
16 the facility.

17 NEW SECTION. **Sec. 5.** The office of the governor may create a
18 single set of rules authorizing the sale of naming rights by all
19 executive branch agencies. Such rules may not be created using the
20 negotiated rule-making process in RCW 34.05.310, the emergency rule-
21 making process in RCW 34.05.350, or the expedited rule-making process
22 in RCW 34.05.353.

23 **Sec. 6.** RCW 43.34.090 and 2002 c 164 s 1 are each amended to read
24 as follows:

25 (1) Except as provided in chapter 42.-- RCW (the new chapter
26 created in section 7 of this act), the legislature shall approve names
27 for new or existing buildings on the state capitol grounds based upon
28 recommendations from the state capitol committee and the director of
29 the department of (~~general administration~~) enterprise services, with
30 the advice of the capitol campus design advisory committee, subject to
31 the following limitations:

32 (a) An existing building may be renamed only after a substantial
33 renovation or a change in the predominant tenant agency headquartered
34 in the building.

35 (b) A new or existing building may be named or renamed after:

1 (i) An individual who has played a significant role in Washington
2 history;
3 (ii) The purpose of the building;
4 (iii) The single or predominant tenant agency headquartered in the
5 building;
6 (iv) A significant place name or natural place in Washington;
7 (v) A Native American tribe located in Washington;
8 (vi) A group of people or type of person;
9 (vii) Any other appropriate person consistent with this section as
10 recommended by the director of the department of (~~general~~
11 ~~administration~~) enterprise services.

12 (c) The names on the facades of the state capitol group shall not
13 be removed.

14 (2) The legislature shall approve names for new or existing public
15 rooms or spaces on the west capitol campus based upon recommendations
16 from the state capitol committee and the director of the department of
17 (~~general administration~~) enterprise services, with the advice of the
18 capitol campus design advisory committee, subject to the following
19 limitations:

20 (a) An existing room or space may be renamed only after a
21 substantial renovation;

22 (b) A new or existing room or space may be named or renamed only
23 after:

24 (i) An individual who has played a significant role in Washington
25 history;

26 (ii) The purpose of the room or space;

27 (iii) A significant place name or natural place in Washington;

28 (iv) A Native American tribe located in Washington;

29 (v) A group of people or type of person;

30 (vi) Any other appropriate person consistent with this section as
31 recommended by the director of the department of (~~general~~
32 ~~administration~~) enterprise services.

33 (3) When naming or renaming buildings, rooms, and spaces under this
34 section, consideration must be given to: (a) Any disparity that exists
35 with respect to the gender of persons after whom buildings, rooms, and
36 spaces are named on the state capitol grounds; (b) the diversity of
37 human achievement; and (c) the diversity of the state's citizenry and
38 history.

1 (4) This section does not apply if an agency as defined in section
2 3 of this act chooses to sell a naming right in accordance with section
3 4 of this act.

4 (5) For purposes of this section, "state capitol grounds" means
5 buildings and land owned by the state and otherwise designated as state
6 capitol grounds, including the west capitol campus, the east capitol
7 campus, the north capitol campus, the Tumwater campus, the Lacey
8 campus, Sylvester Park, Centennial Park, the Old Capitol Building, and
9 Capitol Lake.

10 NEW SECTION. **Sec. 7.** Sections 1 through 5 of this act constitute
11 a new chapter in Title 42 RCW.

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