
SENATE BILL 5057

State of Washington

63rd Legislature

2013 Regular Session

By Senators Ericksen, Hargrove, Sheldon, Holmquist Newbry, Becker, King, Honeyford, and Shin

Read first time 01/16/13. Referred to Committee on Natural Resources & Parks .

1 AN ACT Relating to outdoor recreation on lands purchased by a
2 private, not-for-profit organization acquired in whole or part with
3 public funds; adding a new section to chapter 79A.25 RCW; adding a new
4 section to chapter 77.12 RCW; adding a new section to chapter 43.30
5 RCW; adding a new section to chapter 43.21A RCW; adding a new section
6 to chapter 79A.05 RCW; adding a new section to chapter 90.71 RCW; and
7 creating a new section.

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

9 NEW SECTION. **Sec. 1.** A new section is added to chapter 79A.25 RCW
10 to read as follows:

11 (1) A private, not-for-profit organization acquiring real property
12 under either (a) or (b) of this subsection may not prohibit or restrict
13 public access for purposes of hunting, fishing, trapping, or other
14 outdoor recreation on that property beyond any prohibitions or
15 restrictions in effect immediately prior to acquisition of the property
16 by that organization. This section applies to a private,
17 not-for-profit organization acquiring property:

18 (a) Using any funds distributed by or reimbursed from a state
19 agency, including the office and the boards administered by the office,

1 the department of natural resources, the department of fish and
2 wildlife, the Puget Sound partnership, the state parks and recreation
3 commission, and the department of ecology, for purposes of the
4 acquisition through grant programs or other funding mechanisms,
5 including for purposes of salmon recovery funding, estuary restoration,
6 or through the Washington wildlife and recreation program; or

7 (b) Through a transfer from a local or state agency, a tribal
8 government, or the federal government where the property was acquired
9 using state funds or any funds provided by or reimbursed from a state
10 agency.

11 (2) When providing funds for acquisitions by or transferring lands
12 to a private, not-for-profit organization, state agencies must include
13 conditions consistent with this section as part of the funding or
14 acquisition agreement.

15 (3) When a state or local agency discovers a potential violation of
16 this section, the state or local agency shall provide notice and
17 relevant information to the appropriate committees of the senate and
18 house of representatives by the earlier of December 1st of that year or
19 within sixty days of the discovery.

20 NEW SECTION. **Sec. 2.** A new section is added to chapter 77.12 RCW
21 to read as follows:

22 The department shall comply with the applicable requirements of
23 section 1 of this act.

24 NEW SECTION. **Sec. 3.** A new section is added to chapter 43.30 RCW
25 under the subchapter heading "Part 5 powers and duties - general" to
26 read as follows:

27 The department shall comply with the applicable requirements of
28 section 1 of this act.

29 NEW SECTION. **Sec. 4.** A new section is added to chapter 43.21A RCW
30 to read as follows:

31 The department shall comply with the applicable requirements of
32 section 1 of this act.

33 NEW SECTION. **Sec. 5.** A new section is added to chapter 79A.05 RCW
34 to read as follows:

1 The commission shall comply with the applicable requirements of
2 section 1 of this act.

3 NEW SECTION. **Sec. 6.** A new section is added to chapter 90.71 RCW
4 to read as follows:

5 The partnership shall comply with the applicable requirements of
6 section 1 of this act.

7 NEW SECTION. **Sec. 7.** Section 1(1) and (3) of this act applies
8 retroactively to all applicable land transactions since January 1,
9 1962, but in all other respects this act applies prospectively.

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