
SUBSTITUTE SENATE BILL 5071

State of Washington

64th Legislature

2015 Regular Session

By Senate Government Operations & Security (originally sponsored by Senator Honeyford)

READ FIRST TIME 02/11/15.

1 AN ACT Relating to resident curators of state properties; adding
2 new sections to chapter 43.19 RCW; and creating a new section.

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

4 NEW SECTION. **Sec. 1.** The legislature finds that other states
5 have successfully implemented resident curator programs that
6 preserve, maintain, and restore historic and other significant state-
7 owned properties by allowing private parties to occupy or use the
8 properties, at no cost or reduced rent, in exchange for the tenant's
9 maintenance, rehabilitation, or restoration of the property.

10 NEW SECTION. **Sec. 2.** A new section is added to chapter 43.19
11 RCW to read as follows:

12 A state agency with statutory authority to lease state-owned
13 properties to private parties may negotiate a lease at a rate that is
14 less than fair market value in consideration of the lessee's
15 occupancy of the property and agreement to restore, maintain,
16 rehabilitate, or otherwise improve the leased property. Such an
17 agreement must be in writing and must clearly specify the terms of
18 the agreement and the improvements to be made to the property. No
19 improvements to the property may be made without the approval of the
20 leasing agency. If the property is listed, or is eligible to be

1 listed, on the national register of historic places, the Washington
2 heritage register, or a local historic register, the agency must
3 consult with the department of archaeology and historic preservation
4 and all work performed on the property must comply with the federal
5 department of interior standards for rehabilitation of historic
6 properties.

7 NEW SECTION. **Sec. 3.** A new section is added to chapter 43.19
8 RCW to read as follows:

9 (1) When entering into any agreement under section 2 of this act
10 or otherwise involving the management or occupancy of state-owned
11 properties or a facility by a public or private partner when leased
12 at below market rate value, the agency shall consider, when
13 appropriate:

14 (a) If the entity has an adequate source of available funding to
15 assume the financial responsibilities of the agreement;

16 (b) If the entity has sufficient expertise to assume the scope of
17 responsibilities in the agreement;

18 (c) If the agreement results in net financial benefits to the
19 state from the maintenance and restoration of the property or
20 facility; and

21 (d) If the agreement results in advancement of the agency's core
22 mission.

23 (2) Any agreement subject to this section must include specific
24 performance measures. The performance measures must cover, but are
25 not limited to, the entity's ability to manage financial operating
26 costs, to adequately perform management responsibilities, and to
27 address and respond to public concerns. The agreement must provide
28 that failure to meet any performance measure may lead to the
29 termination of the agreement or requirements for remedial action to
30 be taken before the agreement may be extended.

31 NEW SECTION. **Sec. 4.** A new section is added to chapter 43.19
32 RCW to read as follows:

33 All agencies leasing property pursuant to sections 2 and 3 of
34 this act must provide a report to the legislature at the end of each
35 year listing the following information for each leased property:

36 (1) Market rate value;

37 (2) Lease rate; and

1 (3) Improvements made to the property in the previous calendar
2 year.

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