

CERTIFICATION OF ENROLLMENT

HOUSE BILL 1430

Chapter 194, Laws of 2022

67th Legislature
2022 Regular Session

DEPARTMENT OF NATURAL RESOURCES LAND LEASES—DURATION

EFFECTIVE DATE: June 9, 2022

Passed by the House March 8, 2022
Yeas 96 Nays 1

LAURIE JINKINS

**Speaker of the House of
Representatives**

Passed by the Senate February 25,
2022
Yeas 47 Nays 2

DENNY HECK

President of the Senate

Approved March 30, 2022 2:12 PM

JAY INSLEE

Governor of the State of Washington

CERTIFICATE

I, Bernard Dean, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **HOUSE BILL 1430** as passed by the House of Representatives and the Senate on the dates hereon set forth.

BERNARD DEAN

Chief Clerk

FILED

March 31, 2022

**Secretary of State
State of Washington**

HOUSE BILL 1430

AS AMENDED BY THE SENATE

Passed Legislature - 2022 Regular Session

State of Washington

67th Legislature

2021 Regular Session

By Representatives Kloba and Klicker; by request of Department of Natural Resources

1 AN ACT Relating to the duration of state upland leases for lands
2 managed by the department of natural resources; and amending RCW
3 79.13.060.

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

5 **Sec. 1.** RCW 79.13.060 and 2016 c 109 s 3 are each amended to
6 read as follows:

7 (1) State lands may be leased not to exceed ten years with the
8 following exceptions:

9 (a) The lands may be leased for agricultural purposes not to
10 exceed twenty-five years, except:

11 (i) Leases that authorize tree fruit or grape production may be
12 for up to fifty-five years;

13 (ii) Share crop leases may not exceed ten years;

14 (b) The lands may be leased for commercial, industrial, business,
15 or recreational purposes not to exceed fifty-five years, except:

16 (i) Leases for commercial, industrial, or business purposes may
17 extend to 99 years;

18 (ii) All leases for commercial, industrial, or business purposes
19 that extend beyond 55 years must provide for periodic rental
20 reevaluation and adjustment, except leases with rentals based on a
21 percentage of income;

1 (iii) All leases for commercial, industrial, or business purposes
2 that extend terms beyond 55 years must be reported to the office of
3 financial management and the appropriate committees of the
4 legislature within 30 days of the date of execution of the lease. The
5 report must include a financial analysis that justifies the financial
6 benefit for the added term and the schedule for periodic rental
7 adjustments;

8 (c) The lands may be leased for public school, college, or
9 university purposes not to exceed seventy-five years;

10 (d) The lands may be leased for residential purposes not to
11 exceed ninety-nine years; and

12 (e) The lands and development rights on state lands held for the
13 benefit of the common schools may be leased to public agencies, as
14 defined in RCW 79.17.200, not to exceed ninety-nine years. The leases
15 may include provisions for renewal of lease terms.

16 (2) No lessee of state lands may remain in possession of the land
17 after the termination or expiration of the lease without the written
18 consent of the department.

19 (a) The department may authorize a lease extension for a specific
20 period beyond the term of the lease for cropping improvements for the
21 purpose of crop rotation. These improvements shall be deemed
22 authorized improvements under RCW 79.13.030.

23 (b) Upon expiration of the lease term, the department may allow
24 the lessee to continue to hold the land for a period not exceeding
25 one year upon such rent, terms, and conditions as the department may
26 prescribe, if the leased land is not otherwise utilized.

27 (c) Upon expiration of the one-year lease extension, the
28 department may issue a temporary permit to the lessee upon terms and
29 conditions it prescribes if the department has not yet determined the
30 disposition of the land for other purposes.

31 (d) The temporary permit shall not extend beyond a five-year
32 period.

33 (3) If during the term of the lease of any state lands for
34 agricultural, grazing, commercial, residential, business, or
35 recreational purposes, in the opinion of the department it is in the
36 best interest of the state so to do, the department may, on the
37 application of the lessee and in agreement with the lessee, alter and
38 amend the terms and conditions of the lease. The sum total of the
39 original lease term and any extension thereof shall not exceed the
40 limits provided in this section.

1 (4) The department must include in the text of any grazing leases
2 language that explains the right of access, and associated assumption
3 of liability, created in RCW 76.04.021.

Passed by the House March 8, 2022.

Passed by the Senate February 25, 2022.

Approved by the Governor March 30, 2022.

Filed in Office of Secretary of State March 31, 2022.

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