

1 1042-S AAS 04/09/01 S2500.1

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3 **SHB 1042** - S COMM AMD

4 By Committee on Health & Long-Term Care

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ADOPTED 04/09/01

6 On page 2, after line 34, insert the following:

7 "Sec. 5. RCW 5.40.050 and 1986 c 305 s 901 are each amended to
8 read as follows:

9 A breach of a duty imposed by statute, ordinance, or administrative
10 rule shall not be considered negligence per se, but may be considered
11 by the trier of fact as evidence of negligence; however, any breach of
12 duty as provided by statute, ordinance, or administrative rule relating
13 to electrical fire safety, the use of smoke alarms, sterilization of
14 needles and instruments used in tattooing or electrology as required
15 under section 4 of this act, or driving while under the influence of
16 intoxicating liquor or any drug, shall be considered negligence per
17 se."

18 **SHB 1042** - S COMM AMD

19 By Committee on Health & Long-Term Care

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ADOPTED 04/09/01

21 On page 1, line 2 of the title, after "tattooing;" insert "amending
22 RCW 5.40.050;"

EFFECT: Makes a violation of sterilization requirements per se
negligence for purposes of civil liability.

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