

FINAL BILL REPORT

ESB 5362

PARTIAL VETO

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SYNOPSIS AS ENACTED

Brief Description: Requiring full disclosure of civil court proceedings relating to public hazards.

SPONSORS: Senators A. Smith, Niemi, Pelz, Spanel and Quigley

SENATE COMMITTEE ON LAW & JUSTICE

HOUSE COMMITTEE ON JUDICIARY

BACKGROUND:

Recent media attention to dangerous products and services has focused on the technical standards involved and procedures utilized. These standards of design or performance often determine public safety.

When injuries occur, standards and product or procedure compliance come into question. Adverse test data may be known to private organizations, but not to government agencies or the public.

Often these inquiries result in litigation that ultimately is terminated in a confidential court sealed compromise agreement. The issue then raised is the one of the broader public interest in preventing the recurrence of harm.

SUMMARY:

Public hazards are defined as matters other than services by licensed professionals having a probable future adverse effect on public health and safety. All relevant judicial discovery materials are available to the public after the court determines the appropriateness of release. The court is mandated to provide for effective disclosure of these matters and hold violators in contempt. Contracting to conceal public hazards is a violation of the Consumer Protection Act and such contracts are void.

VOTES ON FINAL PASSAGE:

Senate	25	22
House	61	35

EFFECTIVE: July 25, 1993

Partial Veto Summary: The emergency clause is removed, delaying the effective date. (See VETO MESSAGE)