

FINAL BILL REPORT

SHB 1314

C 125 L 97

Synopsis as Enacted

Brief Description: Computing the time within which an act is to be done.

Sponsors: By House Committee on Law & Justice (originally sponsored by Representatives Bush, Cooper, Carrell, Wood, Smith, Lambert, McDonald, Benson, Mielke, Cole, Talcott, Romero, Mastin, Scott, Sheahan, Lantz, L. Thomas, D. Schmidt, Cooke, Sherstad, Wensman and Dunn).

House Committee on Law & Justice
Senate Committee on Law & Justice

Background: A chapter of the Revised Code of Washington provides general rules on the construction of statutory provisions. These general rules apply throughout the code unless a particular statute provides otherwise.

Many provisions of the law require an act to be done within a specified period of time. The general rule on how to compute time provides that a time period is computed by excluding the first day and including the last day, except that if the last day is a holiday or a Sunday, that day is also excluded.

The Pollution Control Hearings Board hears and decides certain appeals from administrative decisions of the Department of Ecology. An appeal of a decision of the Department of Ecology must be made to the Pollution Control Hearings Board within 30 days from the date of the notice of the department's decision. A recent court of appeals case held that the 30-day period starts when the notice of the decision is mailed.

Summary: The general rule on the computation of time is amended to exclude a Saturday from the calculation if the Saturday is the last day of the time period.

The provision concerning an appeal of an administrative decision to the Pollution Control Hearings Board is amended to provide specifically that the 30-day period starts on the day that the notice of the administrative decision is mailed to the appealing party.

Votes on Final Passage:

House 95 0

Senate 48 0

Effective: July 27, 1997