
HOUSE BILL 1290

State of Washington 55th Legislature 1997 Regular Session

By Representatives Sheahan, Lantz and Costa

Read first time 01/21/97. Referred to Committee on Law & Justice.

1 AN ACT Relating to eliminating dead man's statute provisions; and
2 amending RCW 5.60.030.

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

4 **Sec. 1.** RCW 5.60.030 and 1977 ex.s. c 80 s 3 are each amended to
5 read as follows:

6 No person offered as a witness shall be excluded from giving
7 evidence by reason of his or her interest in the event of the action,
8 as a party thereto or otherwise, but such interest may be shown to
9 affect his or her credibility(~~(: PROVIDED, HOWEVER, That in an action~~
10 ~~or proceeding where the adverse party sues or defends as executor,~~
11 ~~administrator or legal representative of any deceased person, or as~~
12 ~~deriving right or title by, through or from any deceased person, or as~~
13 ~~the guardian or limited guardian of the estate or person of any~~
14 ~~incompetent or disabled person, or of any minor under the age of~~
15 ~~fourteen years, then a party in interest or to the record, shall not be~~
16 ~~admitted to testify in his or her own behalf as to any transaction had~~
17 ~~by him or her with, or any statement made to him or her, or in his or~~
18 ~~her presence, by any such deceased, incompetent or disabled person, or~~
19 ~~by any such minor under the age of fourteen years: PROVIDED FURTHER,~~

1 ~~That this exclusion shall not apply to parties of record who sue or~~
2 ~~defend in a representative or fiduciary capacity, and have no other or~~
3 ~~further interest in the action)).~~

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