

---

SENATE BILL 5651

---

State of Washington                      55th Legislature                      1997 Regular Session

By Senators Anderson, Newhouse, Schow, Horn and Oke

Read first time 02/05/97. Referred to Committee on Commerce & Labor.

1            AN ACT Relating to restricting actions against employers under  
2 industrial insurance; and amending RCW 51.24.020.

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

4            **Sec. 1.** RCW 51.24.020 and 1984 c 218 s 2 are each amended to read  
5 as follows:

6            If injury results to a worker from the deliberate intention of his  
7 or her employer to produce such injury, the worker or beneficiary of  
8 the worker shall have the privilege to take under this title and also  
9 have cause of action against the employer as if this title had not been  
10 enacted, for any damages in excess of compensation and benefits paid or  
11 payable under this title. For the purposes of this section, a worker's  
12 injury does not result from the deliberate intention of his or her  
13 employer unless the specific purpose of the employer's conduct was to  
14 bring about that injury. The court shall determine, as a question of  
15 law, the purpose of the employer's conduct.

--- END ---