
SENATE BILL 6172

State of Washington

55th Legislature

1998 Regular Session

By Senator McCaslin

Read first time 01/12/98. Referred to Committee on Government Operations.

1 AN ACT Relating to service of petitions for judicial review of
2 agency actions; and amending RCW 34.05.542.

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

4 **Sec. 1.** RCW 34.05.542 and 1988 c 288 s 509 are each amended to
5 read as follows:

6 Subject to other requirements of this chapter or of another
7 statute:

8 (1) A petition for judicial review of a rule may be filed at any
9 time, except as limited by RCW 34.05.375.

10 (2) A petition for judicial review of an order shall be filed with
11 the court and served on the agency, the office of the attorney general,
12 and all parties of record within thirty days after service of the final
13 order.

14 (3) A petition for judicial review of agency action other than the
15 adoption of a rule or the entry of an order is not timely unless filed
16 with the court and served on the agency, the office of the attorney
17 general, and all other parties of record within thirty days after the
18 agency action, but the time is extended during any period that the
19 petitioner did not know and was under no duty to discover or could not

1 reasonably have discovered that the agency had taken the action or that
2 the agency action had a sufficient effect to confer standing upon the
3 petitioner to obtain judicial review under this chapter.

4 (4) Service of the petition on the agency shall be by delivery of
5 a copy of the petition to the office of the director, or other chief
6 administrative officer or chairperson of the agency, at the principal
7 office of the agency. Service of a copy by mail upon the other parties
8 of record and the office of the attorney general shall be deemed
9 complete upon deposit in the United States mail, as evidenced by the
10 postmark.

11 (5) Failure to timely serve a petition on the office of the
12 attorney general is not grounds for dismissal of the petition.

13 (6) For purposes of this section, service upon the attorney of
14 record of any agency or party of record constitutes service upon the
15 agency or party of record.

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