
SENATE BILL 5444

State of Washington

56th Legislature

1999 Regular Session

By Senators Kline, Wojahn and Kohl-Welles

Read first time 01/22/1999. Referred to Committee on State & Local Government.

1 AN ACT Relating to the repeal of attorneys' fees awards in land use
2 cases; creating a new section; and repealing RCW 4.84.370.

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

4 NEW SECTION. **Sec. 1.** The purpose of this act is to repeal the
5 statutory authorization for the award of attorneys' fees to prevailing
6 parties in appeals of land use and shoreline management decisions.
7 This statute, enacted in 1995, has had a chilling effect upon the
8 exercise of the rights of individuals, organizations, and small
9 developers to seek judicial review of governmental decisions that may
10 affect their neighborhoods, communities, and development proposals. It
11 is more appropriate that the general American rule that each party
12 bears its own attorneys' fees should apply to these cases.

13 NEW SECTION. **Sec. 2.** RCW 4.84.370 and 1995 c 347 s 718 are each
14 repealed.

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