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SENATE BILL 5873

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State of Washington

56th Legislature

1999 Regular Session

By Senator Heavey

Read first time 02/15/1999. Referred to Committee on Judiciary.

1 AN ACT Relating to liability of social hosts; and adding a new  
2 section to chapter 4.24 RCW.

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

4 NEW SECTION. **Sec. 1.** A new section is added to chapter 4.24 RCW  
5 to read as follows:

6 (1) A social host who furnishes alcohol is civilly liable to any  
7 injured individual or his or her estate for injury to such individual  
8 or damage to property suffered, including any action for wrongful  
9 death, when the intoxication of the person to whom the social host  
10 furnished alcohol was a proximate cause of the injury, death, or  
11 property damage and:

12 (a) It is proven that the social host knew or reasonably should  
13 have known that the person to whom he or she furnished alcohol was  
14 intoxicated; and

15 (b) The civil action is commenced within one year of the date of  
16 furnishing the alcohol.

17 (2) It is an affirmative defense to an action brought under this  
18 section that the social host had a reasonable belief the person to whom

1 he or she furnished alcohol would not drive a vehicle while under the  
2 influence of or affected by the alcohol.

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