

5242

Sponsor(s): Senators Kline, Winsley, Wojahn and Kohl-Welles

Brief Description: Authorizing damages for certain persons for unlawful agency actions.

SB 5242 - DIGEST

Provides that owners of a property interest who have filed an application for a permit, and other property owners or organizations with standing to oppose the granting of the permit and who have participated in administrative proceedings regarding the permit, have an action for damages to obtain relief from acts of an agency which are arbitrary, capricious, unlawful, or exceed lawful authority, or relief from a failure to act within time limits established by law: PROVIDED, That the action is unlawful or in excess of lawful authority only if the final decision of the agency was made with knowledge of its unlawfulness or that it was in excess of lawful authority, or it should reasonably have been known to have been unlawful or in excess of lawful authority.