

1928-S

Sponsor(s): House Committee on Judiciary (originally sponsored by Representatives Lantz, Carrell, McMahan, Clibborn, Campbell, Moeller, Schual-Berke, Cody, Newhouse, Morrell, Rockefeller, Kirby, Lovick, Kenney, Linville, Veloria, Conway, G. Simpson, Sommers and Haigh)

Brief Description: Changing provisions relating to parties liable for damages in actions under chapter 7.70 RCW.

HB 1928-S.2E - DIGEST

(AS OF HOUSE 2ND READING 2/16/04)

Provides that, if the trier of fact determines that the claimant or party suffering bodily injury or incurring property damages was not at fault, the defendants against whom judgment is entered shall be jointly and severally liable for the sum of their proportionate shares of the claimant's total damages.

Does not apply to health care providers as defined in RCW 7.70.020, in all cases governed by chapter 7.70 RCW with respect to judgments for noneconomic damages. In all cases governed by chapter 7.70 RCW, the liability of health care providers for noneconomic damages is several only. For the purposes of this section, "noneconomic damages" has the meaning given in RCW 4.56.250.

Provides that, in all actions for damages under chapter 7.70 RCW, the entities to whom fault may be attributed shall be limited to the claimants, defendants, and third-party defendants who are parties to the action any entities released by the claimant, and entities immune from liability to the claimant.