

E3SHB 1873 - S AMD TO WM COMM AMD (S-6007.1) **273**
By Senators Brandland and Hargrove

OUT OF ORDER 3/06/2008

1 On page 5, after line 21 of the Ways & Means Committee striking
2 amendment, insert the following:

3 "In any action under this section against the state or a political
4 subdivision thereof, where the claim is based on subsection (5)(b) of
5 this section, the liability of the state or political subdivision shall
6 be several and not joint."

7 On page 5, line 24 of the Ways & Means Committee striking
8 amendment, after "4.20.020," insert "4.24.010,"

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EFFECT: Under the new claims authorized by the bill under the general wrongful death statute, joint and several liability does not apply to claims made against state and local agencies. Liability is limited to the public agencies' proportion of fault.