

ESSB 6508 - S AMD 152

By Senators Hargrove and Brandland

ADOPTED 2/15/2010

1 In section 1 of the bill insert the following new
2 subsection (3):

3 " (3) In any action under subsection (1)(a) of this section
4 against the state or a political subdivision thereof that is based on
5 a parent's significant involvement in an adult child's life, the
6 liability of the state or political subdivision shall be several and
7 not joint."

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9 In section 3 of the bill insert the following new subsection (5):

10 "(5) In any action under subsection (2)(a) of this section against
11 the state or a political subdivision thereof that is based on a
12 parent's significant involvement in an adult child's life, the
13 liability of the state or political subdivision shall be several and
14 not joint."

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16 In section 4 of the bill insert the following new subsection (6):

17 "(6) In any action under subsection (1) of this section against
18 the state or a political subdivision thereof that is based on a
19 parent's significant involvement in a child's life, the liability of
20 the state or political subdivision shall be several and not joint."

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22 After section 7 of the bill, insert a new section 8 as follows:

23 "**Sec. 8.** RCW 4.22.030 and 1986 c 305 s 402 are each amended to
24 read as follows:

25 Except as otherwise provided in RCW 4.22.070, 4.20.020, 4.20.060,
26 and 4.24.010, if more than one person is liable to a claimant on an

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1 indivisible claim for the same injury, death or harm, the liability of
2 such person shall be joint and several."

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4 Renumber the sections consecutively and correct any internal
5 references accordingly.

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11 Strike the title and insert the following:

12 "AN ACT relating to wrongful death or survival actions by changing
13 the class of persons entitled to recoveries and by limiting the
14 liability of state and local agencies or political subdivisions in
15 those recoveries; amending 4.20.020, 4.20.046, 4.20.060, 4.22.030, and
16 4.24.010; creating new sections; and providing effective date."

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18 EFFECT: Joint and several liability does not apply to
19 additional claims made against state and local agencies under the act.
20 Liability is limited to the public agencies' proportion of fault. The
21 title is amended.

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