

---

HOUSE BILL 3084

---

State of Washington

61st Legislature

2010 Regular Session

By Representative Hope

Read first time 01/22/10. Referred to Committee on Judiciary.

1 AN ACT Relating to how monetary awards in class actions that are  
2 not paid over to members of the class are to be used; and adding a new  
3 section to chapter 4.56 RCW.

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

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 4.56 RCW  
6 to read as follows:

7 (1) This section applies to an action maintained as a class action  
8 in which the settlement agreement or judgment includes a monetary  
9 award, including compensatory or punitive and exemplary damages,  
10 restitution, or any other payment of money due from each defendant to  
11 the members of the class.

12 (2) It is the policy of this state, insofar as it is not  
13 inconsistent with federal law, that for unpaid moneys remaining after  
14 the distribution of monetary awards to the members of the class in a  
15 class action described in subsection (1) of this section, the court  
16 shall:

17 (a) Retain up to twenty-five percent to use for any purpose  
18 permitted under law and court rules; and

1 (b) Distribute the remainder of the unpaid moneys to the class  
2 action charitable contribution account created in subsection (3) of  
3 this section.

4 (3) The class action charitable contribution account is created in  
5 the state treasury. Moneys in the account may be spent only after  
6 appropriation. Moneys in the account may be expended for purposes that  
7 have a direct or indirect relationship to the objectives of the class  
8 action litigation from which the unpaid moneys were awarded or  
9 otherwise promote the interests of the members of the class as  
10 determined by the legislature.

--- END ---