
SUBSTITUTE SENATE BILL 5024

State of Washington

62nd Legislature

2011 Regular Session

By Senate Human Services & Corrections (originally sponsored by Senators Hargrove, Sheldon, Becker, Litzow, Haugen, Carrell, King, Honeyford, Shin, Kilmer, Regala, Pflug, Parlette, Rockefeller, and McAuliffe; by request of Attorney General)

READ FIRST TIME 02/21/11.

1 AN ACT Relating to restrictions on legal claims initiated by
2 persons serving criminal sentences in correctional facilities; and
3 adding a new section to chapter 4.24 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 4.24 RCW
6 to read as follows:

7 If a person serving a criminal sentence in a federal, state, local,
8 or privately operated correctional facility seeks leave to proceed in
9 state court without payment of filing fees in any civil action or
10 appeal against the state, a state or local governmental agency or
11 entity, or a state or local official, employee, or volunteer acting in
12 such capacity, except an action that, if successful, would affect the
13 duration of the person's confinement, the court shall deny the request
14 for waiver of the court filing fees if the person has, on three or more
15 occasions, while incarcerated or detained in any such facility, brought
16 an action or appeal that was dismissed by a state or federal court on
17 the grounds that it was frivolous or malicious. One of the three
18 previous dismissals must have involved an action or appeal commenced
19 after the effective date of this section. A court may permit the

1 person to commence the action or appeal without the payment of filing
2 fees if the court determines the person is in imminent danger of
3 serious physical or psychological injury.

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