
SENATE BILL 5469

State of Washington

67th Legislature

2021 Regular Session

By Senators Padden, Honeyford, and Wilson, L.

Read first time 03/02/21. Referred to Committee on State Government & Elections.

1 AN ACT Relating to declaring an amnesty for all civil penalties
2 imposed on Washington residents and businesses for the violation of
3 any activity or condition regulated under the emergency proclamations
4 issued in direct response to the novel coronavirus COVID-19; adding a
5 new section to chapter 43.06 RCW; creating a new section; and
6 declaring an emergency.

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

8 NEW SECTION. **Sec. 1.** The legislature finds that the COVID-19
9 pandemic is an anomaly in world history. The strategies employed in
10 an effort to protect Washington residents and businesses were
11 informed by much information and disinformation. Therefore, it is the
12 legislature's intent to declare a general amnesty for all civil
13 penalties imposed on Washington residents and businesses for the
14 violation of any activity, business activity, or conditions of
15 operation for businesses, regulated under the emergency proclamations
16 issued in direct response to the novel coronavirus COVID-19.

17 NEW SECTION. **Sec. 2.** A new section is added to chapter 43.06
18 RCW to read as follows:

19 (1) An agency may not impose a civil penalty for a violation of
20 an activity, business activity, or condition of operation, regulated

1 under an emergency proclamation issued pursuant to this chapter in
2 direct response to the novel coronavirus COVID-19.

3 (2) Any civil penalty, including interests, imposed on Washington
4 residents or businesses for a violation of an activity, business
5 activity, or condition of operation, regulated under an emergency
6 proclamation issued pursuant to this chapter in direct response to
7 the novel coronavirus COVID-19 is rescinded. Any agency that has
8 issued a civil penalty for such violation shall: (a) Notify the
9 recipient of the penalty that the civil penalty imposed is rescinded;
10 and (b) return any funds collected as payment for the civil penalties
11 to its original owner.

12 (3) For purposes of this section:

13 (a) "Agency" means all state agencies and all local agencies.
14 "State agency" includes every state office, department, division,
15 bureau, board, commission, or other state agency. "Local agency"
16 includes every county, city, town, municipal corporation, quasi-
17 municipal corporation, or special purpose district, or any office,
18 department, division, bureau, board, commission, or agency thereof,
19 or other local public agency.

20 (b) "Civil penalty" means a monetary penalty administratively
21 issued by a regulatory agency for noncompliance with state law or
22 rules and includes interest or late fees owed on any existing
23 obligation. The term does not include any criminal penalty, damage
24 assessments, or taxes owed.

25 (4) This section applies to all violations regardless of when
26 such violation occurred. To this extent, this section applies
27 retroactively, but in all other respects, it applies prospectively.

28 NEW SECTION. **Sec. 3.** This act is necessary for the immediate
29 preservation of the public peace, health, or safety, or support of
30 the state government and its existing public institutions, and takes
31 effect immediately.

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