

CERTIFICATION OF ENROLLMENT  
**ENGROSSED SUBSTITUTE SENATE BILL 5263**

67th Legislature  
2021 Regular Session

Passed by the Senate March 5, 2021  
Yeas 28 Nays 20

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**President of the Senate**

Passed by the House April 8, 2021  
Yeas 56 Nays 42

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**Speaker of the House of  
Representatives**

Approved

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**Governor of the State of Washington**

CERTIFICATE

I, Brad Hendrickson, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **ENGROSSED SUBSTITUTE SENATE BILL 5263** as passed by the Senate and the House of Representatives on the dates hereon set forth.

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**Secretary**

FILED

**Secretary of State  
State of Washington**

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ENGROSSED SUBSTITUTE SENATE BILL 5263

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Passed Legislature - 2021 Regular Session

State of Washington

67th Legislature

2021 Regular Session

By Senate Law & Justice (originally sponsored by Senators Frockt, Pedersen, Das, Hasegawa, Hunt, Kuderer, Lias, Saldaña, Wellman, and Wilson, C.)

READ FIRST TIME 02/05/21.

1 AN ACT Relating to defenses in personal injury and wrongful death  
2 actions where the person injured or killed was committing a felony;  
3 and amending RCW 4.24.420.

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

5 **Sec. 1.** RCW 4.24.420 and 1987 c 212 s 901 are each amended to  
6 read as follows:

7 ~~((††))~~ (1) Except in an action arising out of law enforcement  
8 activities resulting in personal injury or death, it is a complete  
9 defense to any action for damages for personal injury or wrongful  
10 death that the person injured or killed was engaged in the commission  
11 of a felony at the time of the occurrence causing the injury or death  
12 and the felony was a proximate cause of the injury or death.  
13 ~~((However, nothing))~~

14 (2) In an action arising out of law enforcement activities  
15 resulting in personal injury or death, it is a complete defense to  
16 the action that the finder of fact has determined beyond a reasonable  
17 doubt that the person injured or killed was engaged in the commission  
18 of a felony at the time of the occurrence causing the injury or  
19 death, the commission of which was a proximate cause of the injury or  
20 death.

1        (3) Nothing in this section shall affect a right of action under  
2 42 U.S.C. Sec. 1983.

--- **END** ---