

**Chapter 1.16 RCW
GENERAL DEFINITIONS**

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RCW 1.16.020 "Fiscal biennium." The fiscal biennium of the state shall commence on the first day of July in each odd-numbered year and end on the thirtieth day of June of the next succeeding odd-numbered year. The fiscal biennium of those cities and towns which utilize a biennial budget shall commence on the first day of January in each odd-numbered year and end on the thirty-first day of December of the next succeeding even-numbered year. [1985 c 175 s 2; 1953 c 184 s 2; 1923 c 86 s 1; RRS s 10927.]

Biennial reports: RCW 43.01.035.

Municipal biennial budgets: Chapters 35.34 and 35A.34 RCW.

RCW 1.16.030 "Fiscal year"—School districts and other taxing districts. August 31st shall end the fiscal year of school districts and December 31st of all other taxing districts. [1975-'76 2nd ex.s. c 118 s 21; 1909 c 76 s 13; RRS s 9963.]

Severability—1975-'76 2nd ex.s. c 118: See note following RCW 28A.505.010.

RCW 1.16.040 "Folio." The term "folio" when used as a measure for computing fees or compensation, shall be construed to mean one hundred words, counting every two figures necessarily used as a word. Any portion of a folio, when in the whole draft or paper there should not be a complete folio, and when there shall be an excess over the last folio exceeding a quarter, it shall be computed as a folio. The filing of a paper shall be construed to include the certificate of the same. [Code 1881 s 2093; 1869 p 373 s 15; RRS s 500.]

RCW 1.16.050 "Legal holidays" and "legislatively recognized days"—Unpaid holidays for employees with appointments or contracts of

less than 12 consecutive months. (1) The following are state legal holidays:

- (a) Sunday;
- (b) The first day of January, commonly called New Year's Day;
- (c) The third Monday of January, celebrated as the anniversary of the birth of Martin Luther King, Jr.;
- (d) The third Monday of February, to be known as Presidents' Day and celebrated as the anniversary of the births of Abraham Lincoln and George Washington;
- (e) The last Monday of May, commonly known as Memorial Day;
- (f) The nineteenth day of June, recognized as Juneteenth, a day of remembrance for the day the African slaves learned of their freedom;
- (g) The fourth day of July, the anniversary of the Declaration of Independence;
- (h) The first Monday in September, to be known as Labor Day;
- (i) The eleventh day of November, to be known as Veterans Day;
- (j) The fourth Thursday in November, to be known as Thanksgiving Day;
- (k) The Friday immediately following the fourth Thursday in November, to be known as Native American Heritage Day; and
- (l) The twenty-fifth day of December, commonly called Christmas Day.

(2) Employees of the state and its political subdivisions, except employees of school districts and except those nonclassified employees of institutions of higher education who hold appointments or are employed under contracts to perform services for periods of less than twelve consecutive months, are entitled to one paid holiday per calendar year in addition to those specified in this section. Each employee of the state or its political subdivisions may select the day on which the employee desires to take the additional holiday provided for in this section after consultation with the employer pursuant to guidelines to be promulgated by rule of the appropriate personnel authority, or in the case of local government by ordinance or resolution of the legislative authority.

(3) Employees of the state and its political subdivisions, including employees of school districts and those nonclassified employees of institutions of higher education who hold appointments or are employed under contracts to perform services for periods of less than twelve consecutive months, are entitled to two unpaid holidays per calendar year for a reason of faith or conscience or an organized activity conducted under the auspices of a religious denomination, church, or religious organization. This includes employees of public institutions of higher education, including community colleges, technical colleges, and workforce training programs. The employee may select the days on which the employee desires to take the two unpaid holidays after consultation with the employer pursuant to guidelines to be promulgated by rule of the appropriate personnel authority, or in the case of local government by ordinance or resolution of the legislative authority. If an employee prefers to take the two unpaid holidays on specific days for a reason of faith or conscience, or an organized activity conducted under the auspices of a religious denomination, church, or religious organization, the employer must allow the employee to do so unless the employee's absence would impose an undue hardship on the employer or the employee is necessary to maintain public safety. Undue hardship shall have the meaning

established in rule by the office of financial management under RCW 43.41.109.

(4) If any of the state legal holidays specified in this section are also federal legal holidays but observed on different dates, only the state legal holidays are recognized as a paid legal holiday for employees of the state and its political subdivisions. However, for port districts and the law enforcement and public transit employees of municipal corporations, either the federal or the state legal holiday is recognized as a paid legal holiday, but in no case may both holidays be recognized as a paid legal holiday for employees.

(5) Whenever any state legal holiday:

(a) Other than Sunday, falls upon a Sunday, the following Monday is the legal holiday; or

(b) Falls upon a Saturday, the preceding Friday is the legal holiday.

(6) Nothing in this section may be construed to have the effect of adding or deleting the number of paid holidays provided for in an agreement between employees and employers of political subdivisions of the state or as established by ordinance or resolution of the local government legislative authority.

(7) The legislature declares that the following days are recognized as provided in this subsection, but may not be considered legal holidays for any purpose:

(a) The thirteenth day of January, recognized as Korean-American day;

(b) The twelfth day of October, recognized as Columbus day;

(c) The ninth day of April, recognized as former prisoner of war recognition day;

(d) The twenty-sixth day of January, recognized as Washington army and air national guard day;

(e) The seventh day of August, recognized as purple heart recipient recognition day;

(f) The second Sunday in October, recognized as Washington state children's day;

(g) The sixteenth day of April, recognized as Mother Joseph day;

(h) The fourth day of September, recognized as Marcus Whitman day;

(i) The seventh day of December, recognized as Pearl Harbor remembrance day;

(j) The twenty-seventh day of July, recognized as national Korean war veterans armistice day;

(k) The nineteenth day of February, recognized as civil liberties day of remembrance;

(l) The thirtieth day of March, recognized as welcome home Vietnam veterans day;

(m) The eleventh day of January, recognized as human trafficking awareness day;

(n) The thirty-first day of March, recognized as Cesar Chavez day;

(o) The tenth day of April, recognized as Dolores Huerta day;

(p) The fourth Saturday of September, recognized as public lands day;

(q) The eighteenth day of December, recognized as blood donor day;

(r) The fifteenth day of May, recognized as water safety day;

(s) The ninth day of March, recognized as Billy Frank Jr. day;

and

(t) The date corresponding with the second new moon following the winter solstice, or the third new moon following the winter solstice should an intercalary month intervene, recognized as the lunar new year. [2024 c 76 s 3. Prior: 2023 c 387 s 3; 2023 c 181 s 2; 2021 c 295 s 2; 2020 c 74 s 2; prior: 2019 c 224 s 2; 2019 c 10 s 1; 2018 c 307 s 1; 2016 c 9 s 2; prior: 2014 c 177 s 2; 2014 c 168 s 1; 2013 c 5 s 1; 2012 c 11 s 1; prior: 2007 c 61 s 2; 2007 c 19 s 2; 2003 c 68 s 2; 2000 c 60 s 1; 1999 c 26 s 1; 1993 c 129 s 2; 1991 sp.s. c 20 s 1; 1991 c 57 s 2; 1989 c 128 s 1; 1985 c 189 s 1; 1979 c 77 s 1; 1977 ex.s. c 111 s 1; 1975-'76 2nd ex.s. c 24 s 1; 1975 1st ex.s. c 194 s 1; 1973 2nd ex.s. c 1 s 1; 1969 c 11 s 1; 1955 c 20 s 1; 1927 c 51 s 1; RRS s 61; prior: 1895 c 3 s 1; 1891 c 41 s 1; 1888 p 107 s 1.]

Finding—Intent—2024 c 76: See note following RCW 43.117.140.

Findings—2023 c 181: "The legislature finds that drowning is the leading cause of death for children aged one to four, and for every death, there are five to 10 nonfatal cases requiring hospital care. Babies under one year of age are more likely to drown at home, and 23 percent of child drownings occur during a family gathering near a pool.

The legislature finds that most of these deaths are completely preventable through education around water safety and drowning prevention and increasing equitable access to swimming lessons and water safety tools and equipment. The victims of childhood drowning are disproportionately from communities of color. Forty-five percent of Hispanic children and 64 percent of African American children have limited or no ability to swim, compared to 40 percent of Caucasian children. African American children ages five through 19 are specifically five and one-half times more likely to drown in a swimming pool compared to their Caucasian counterparts. In addition, male children are twice as likely to drown. Socioeconomic factors also have an impact on disproportionate outcomes. Children whose parents are unable to swim often lack the skill as well, and 79 percent of children in households with an income under \$50,000 have limited or no ability to swim.

The legislature emphasizes the importance of educating children, parents, and other caregivers about the basics of swimming, floating, signs of drowning, and how to help drowning victims, as well as bringing awareness to critical layers of protection such as barriers and water safety tools and equipment. Drowning happens quickly and quietly, making it important to watch children closely, raise awareness, and emphasize education around water safety." [2023 c 181 s 1.]

Short title—2023 c 181: "In memory of those lost to drowning, this act may be known and cited as "Yori's law." [2023 c 181 s 4.]

Findings—Intent—2021 c 295: "The legislature finds that on June 19, 1865, two and one-half years after President Lincoln signed the Emancipation Proclamation and two months after the end of the Civil War, news finally reached Galveston, Texas, that the Civil War had ended and that all enslaved persons were now released from the bondage of slavery. Slavery has left a catastrophic and unrelenting legacy of trauma for generations of Black/African Americans. Racism, discrimination, and inequity have been prevalent throughout the United

States of America since 1619, which has cost Black/African Americans life, liberty, and prosperity.

The legislature also finds that June 19th has been celebrated in smaller communities across the nation as Juneteenth. Also known as Freedom Day, Jubilee Day, Liberation Day, and Emancipation Day, Juneteenth is a holiday that celebrates the emancipation of those who had been enslaved in the United States. Although this day has special significance for Black/African Americans in the state of Washington, the historical and continued harms of slavery and the rejoicing of the end of this atrocity should be acknowledged and celebrated by all Washingtonians.

The legislature intends to designate Juneteenth as a state legal holiday to celebrate the end of chattel slavery. The legislature encourages that this be a day to engage in fellowship with Black/African Americans; revisit our solidarity and commitment to antiracism; educate ourselves about slave history; and continue having conversations that uplift every Washingtonian." [2021 c 295 s 1.]

Finding—Intent—2020 c 74: "The legislature finds that with the help of over two hundred fifty thousand registered donors and volunteers in the state, blood centers collect close to one thousand units of blood each day. All blood receives immediate, comprehensive testing so that it can be available to regional hospitals, usually in less than twenty-four hours after donation. About one in seven people entering a hospital need blood. Blood is always needed for treatment of accident victims, cancer patients, hemophiliacs, and surgery patients. Blood cannot be manufactured. Blood is collected at local donor centers and mobile units travel to hundreds of blood drives every month at work sites, schools, places of worship, and other community locations throughout the Pacific Northwest. Blood donation is one of the most significant contributions that a person can make towards our society. When the Amtrak Cascades passenger train 501 tragically derailed near Olympia on December 18, 2017, our state came together to save the lives of more than eighty injured passengers. A team comprised of emergency responders, health care providers, ordinary citizens, and blood donors at blood centers throughout the state collected over two thousand units to respond to the lives of those in need. Blood donation is an integral community responsibility that connects all of us in our state. Therefore, it is the intent of the legislature to recognize and celebrate the incredible value of blood donors and blood donations in Washington by designating the eighteenth day of December as blood donor day." [2020 c 74 s 1.]

Finding—Intent—2019 c 224: "The legislature finds that the public lands managed by federal, state, and local governments are one of the state's finest and most remarkable attributes. Public lands directly help power the economy of the state, through the multibillion dollar outdoor recreation economy, and working forests, aquatic lands, and other resources that are being sustainably managed for public benefit. The excellence and pervasiveness of public lands in Washington are also integral to making it an attractive place for people to live, work, and play. Therefore, it is the intent of the legislature to recognize and celebrate the incredible value of preserving and protecting the public lands in Washington by designating the fourth Saturday in September as public lands day." [2019 c 224 s 1.]

Findings—Intent—2016 c 9: "(1) The legislature finds that:

(a) Human trafficking is a horrendous crime and activity in which force, fraud, or coercion is used to force adults into labor or commercial sexual exploitation, or force children and youth into child commercial sexual exploitation;

(b) In 2002, Washington was the first state in the United States to create a state antitrafficking of persons task force; safety measures for noncitizen, nonresident persons recruited by international matchmaking organizations for the purpose of providing dating, matrimonial, or social referral services; and a definition of human trafficking crimes at the state level;

(c) In 2003, Washington was the first state to enact a state crime of human trafficking;

(d) In 2004, an advisory committee on trafficking was convened by the United States attorney's office for the western district of Washington, creating a multidisciplinary team to collaborate locally, nationally, and internationally;

(e) According to the Washington state attorney general's office, fifty-five percent of global internet child pornography is initiated in the United States, with the child victims often being runaways, troubled, or homeless youth;

(f) The Washington anti-trafficking response network reports that they have seen cases of young men and boys exploited in the construction industry, and immigrants and others exploited by restaurants, small businesses, agriculture, and the commercial sex industry; and

(g) The Washington state legislature enacted forty antitrafficking laws between 2002 and 2015, and has been recognized by shared hope international and the polaris project as being among the very top states in the country for antitrafficking advocacy and legislation.

(2) The legislature intends to recognize and honor Washington state's efforts to reduce human trafficking by designating the eleventh day of January in each year as "human trafficking awareness day." [2016 c 9 s 1.]

Findings—Intent—2014 c 177: "(1) The Washington state legislature finds that:

(a) Native Americans have long inhabited the area now known as Washington state, living in sustainable cultures based on cooperation and respect for the land and all creatures;

(b) Native Americans suffered many grave injustices when nontribal people settled in Washington state, but endured to preserve remarkable American Indian cultures;

(c) Native Americans have contributed immeasurably to Washington state and the United States as scholars, artists, entrepreneurs, and leaders in all realms of society;

(d) Native Americans have served with honor and distinction in the United States armed forces, and many made the ultimate sacrifice in that service;

(e) Many states have designated days, weeks, or months honoring Native American heritage, and on October 21, 2013, President Barack Obama proclaimed November 2013 as National Native American Heritage Month and called upon all Americans to celebrate November 29, 2013, as Native American Heritage Day; and

(f) More than one hundred eighty federally acknowledged Native American tribes in the United States, including many Washington state tribes, support recognizing a day honoring Native American heritage.

(2) The Washington state legislature therefore intends to recognize and honor Washington state's proud and resonant Native American heritage by designating the Friday immediately following the fourth Thursday in November, currently a state legal and school holiday, as "Native American Heritage Day." [2014 c 177 s 1.]

Finding—Declaration—2007 c 61: "The legislature recognizes that on June 19, 1865, Union soldiers landed at Galveston, Texas with news that the Civil War had ended and the slaves were now free; that this was two and a half years after President Lincoln signed the Emancipation Proclamation on January 1, 1863; that the end of slavery brought on new challenges and realities in establishing a previously nonexistent status for African Americans in the United States; that racism and continued inequality is the legacy of slavery and acknowledging it is the first step in its eradication; and that since 1980 June 19th has been celebrated as Juneteenth across the United States as a day for people to come together in the spirit of reconciliation to commemorate the contributions of African Americans to this country's history and culture.

The legislature declares that an annual day of recognition be observed in remembrance of the day the slaves realized they were free as a reminder that individual rights and freedoms must never be denied." [2007 c 61 s 1.]

Findings—2007 c 19: "The legislature finds that in the more than one hundred years that Koreans have immigrated to the United States, these immigrants and their descendants have made an invaluable contribution to our state and nation. Korean-Americans have worked for many years to better not only their community, but the communities in which they live and the state as a whole. The legislature further finds that due to the close friendship between the people of Korea and the United States, it is fitting to recognize Korean-American contributions to our society in a dignified and fitting manner, and to encourage Korean-Americans to honor the sacrifices made by American citizens during the Korean War." [2007 c 19 s 1.]

Legislative declaration for civil liberties day of remembrance—2003 c 68: See RCW 1.16.090.

Finding—1993 c 129: "The legislature finds that Washington's children are one of our most valuable assets, representing hope for the future. Children today are at risk for many things, including drug and alcohol abuse, child abuse, suicide, peer pressure, and the economic and educational challenges of a changing world. It is increasingly important for families, schools, health professionals, caregivers, and workers at state agencies charged with the protection and help of children to listen to them, to support and encourage them, and to help them build their dreams for the future.

To increase recognition of children's issues, a national children's day is celebrated in October, with ceremonies and activities devoted to children. Washington state focuses special attention on its children by establishing a Washington state children's day." [1993 c 129 s 1.]

Finding—Declaration—1991 c 57: "The legislature finds that the Washington army and air national guard comprise almost nine thousand dedicated men and women who serve the state and nation on a voluntary basis. The legislature also finds that the state of Washington benefits from that dedication by immediate access to well-prepared resources in time of natural disasters and public emergency. The national guard has consistently and frequently responded to state and local emergencies with people and equipment to provide enforcement assistance, medical services, and overall support to emergency management services.

The legislature further declares that an annual day of commemoration should be observed in honor of the achievements, sacrifices, and dedication of the men and women of the Washington army and air national guard." [1991 c 57 s 1.]

Court business on legal holidays: RCW 2.28.100, 2.28.110.

School holidays: RCW 28A.150.050.

RCW 1.16.060 "Month" or "months." The word "month" or "months," whenever the same occurs in the statutes of this state now in force, or in statutes hereinafter enacted, or in any contract made in this state, shall be taken and construed to mean "calendar months." [1891 c 23 s 1, part; Code 1881 s 759; 1877 p 333 s 1; RRS s 149.]

Reviser's note: This section is a part of 1891 c 23 s 1. The introductory phrase of that section provides: "The following provisions relative to the construction of statutes shall be rules of construction and shall constitute a part of the code of procedure of this state:".

RCW 1.16.065 "Officer." Whenever any term indicating an officer is used it shall be construed, when required, to mean any person authorized by law to discharge the duties of such officer. [Code 1881 s 755; 1854 p 221 s 501; RRS s 147.]

Reviser's note: This section was formerly a part of RCW 42.04.010. It first appeared in "An Act to regulate the practice and proceedings in civil actions" (1854 p 221 s 501), as part of chapter LIV, "Construction". It also appeared as Code of 1881 s 755 in chapter LXVII, "Of Construction", as part of the code of civil procedure.

Criminal code, officer defined: RCW 9A.04.110.

RCW 1.16.080 "Person"—Construction of "association," "unincorporated association," and "person, firm, or corporation" to include a limited liability company. (1) The term "person" may be construed to include the United States, this state, or any state or territory, or any public or private corporation or limited liability company, as well as an individual.

(2) Unless the context clearly indicates otherwise, the terms "association," "unincorporated association," and "person, firm, or corporation" or substantially identical terms shall, without limiting the application of any term to any other type of legal entity, be

construed to include a limited liability company. [1996 c 231 s 1; 1891 c 23 s 1, part; Code 1881 s 964; 1857 p 46 s 1; 1854 p 99 s 134; RRS s 146.]

Reviser's note: This section is a part of 1891 c 23 s 1. The introductory phrase of that section provides: "The following provisions relative to the construction of statutes shall be rules of construction and shall constitute a part of the code of procedure of this state:".

Criminal proceedings, person defined: RCW 9A.04.110.

Declaratory judgments, person defined: RCW 7.24.130.

Eminent domain by cities, person defined: RCW 8.12.020.

Notice to alien property custodian, person defined: RCW 4.28.340.

Wrongful death, person defined: RCW 4.20.005.

RCW 1.16.090 Legislative declaration for civil liberties day of remembrance. The legislature recognizes that on February 19, 1942, the President of the United States issued Executive Order 9066 which authorized military rule over civilian law and lives; that Executive Order 9066 led to the World War II evacuation and internment of more than one hundred twenty thousand Japanese Americans, most of whom were United States citizens by birth; that Japanese Americans lost their homes and livelihoods and suffered physical and psychological damage; and that, despite widespread hostility and discrimination, Japanese Americans served with distinction in the United States military effort as members of the Military Intelligence Service and in the segregated 100th Infantry Battalion and the 442nd Regimental Combat Team. The legislature further recognizes that in the name of "military necessity," Japanese Americans were deprived of their fundamental constitutional rights and civil liberties; and that the Japanese American experience during World War II tragically illuminates the fragile nature of our most cherished national beliefs and values.

The legislature declares that an annual day of recognition be observed in remembrance of Japanese Americans interned during World War II as a reminder that, regardless of the provocation, individual rights and freedoms must never be denied. [2003 c 68 s 1.]

RCW 1.16.100 Domestic relations terms—Exceptions. For the purposes of this code, with the exception of chapter 26.04 RCW, the terms spouse, marriage, marital, husband, wife, widow, widower, next of kin, and family shall be interpreted as applying equally to state registered domestic partnerships or individuals in state registered domestic partnerships as well as to marital relationships and married persons, and references to dissolution of marriage shall apply equally to state registered domestic partnerships that have been terminated, dissolved, or invalidated, to the extent that such interpretation does not conflict with federal law. Where necessary to implement chapter 521, Laws of 2009, gender-specific terms such as husband and wife used in any statute, rule, or other law shall be construed to be gender

neutral, and applicable to individuals in state registered domestic partnerships. [2009 c 521 s 4.]