

# SENATE BILL REPORT

## SB 5263

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As of February 1, 2021

**Title:** An act relating to defenses in personal injury and wrongful death actions where the person injured or killed was committing a felony.

**Brief Description:** Concerning defenses in personal injury and wrongful death actions where the person injured or killed was committing a felony.

**Sponsors:** Senators Frockt, Pedersen, Das, Hasegawa, Hunt, Kuderer, Lias, Saldaña, Wellman and Wilson, C..

**Brief History:**

**Committee Activity:** Law & Justice: 2/02/21.

**Brief Summary of Bill**

- Narrows the complete defense against any personal injury or wrongful death lawsuits for damages to instances where the person injured or killed has been convicted of a class A or B felony which was a proximate cause of the injury or death.

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### SENATE COMMITTEE ON LAW & JUSTICE

**Staff:** Tim Ford (786-7423)

**Background:** It is a complete defense to any lawsuit for damages for personal injury or wrongful death that the person injured or killed was engaged in the commission of a felony which was a proximate cause of the injury or death. However, this defense does not affect the right to bring a lawsuit under the federal Civil Rights Act of 1983.

**Summary of Bill:** It is a complete defense to any lawsuit for damages for personal injury or wrongful death that the person injured or killed was convicted of a class A or B felony, the commission of which was a proximate cause of the injury or death. However, this

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defense does not affect the right to bring a lawsuit under the federal Civil Rights Act of 1983.

This act is remedial and retroactive to all claims or causes of action prior to this law regardless of when the claim or cause arose.

**Appropriation:** None.

**Fiscal Note:** Requested on January 31, 2021.

**Creates Committee/Commission/Task Force that includes Legislative members:** No.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.