
SENATE BILL 5307

State of Washington

57th Legislature

2001 Regular Session

By Senators Constantine and McCaslin; by request of Office of the Code Reviser

Read first time 01/18/2001. Referred to Committee on Judiciary.

1 AN ACT Relating to venue for actions for unlawful issuance of a
2 check or draft; and amending RCW 4.12.025 and 3.66.040.

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

4 **Sec. 1.** RCW 4.12.025 and 1998 c 56 s 1 are each amended to read as
5 follows:

6 (1) An action may be brought in any county in which the defendant
7 resides, or, if there be more than one defendant, where some one of the
8 defendants resides at the time of the commencement of the action. For
9 the purpose of this section, the residence of a corporation defendant
10 shall be deemed to be in any county where the corporation: (a)
11 Transacts business; (b) has an office for the transaction of business;
12 (c) transacted business at the time the cause of action arose; or (d)
13 where any person resides upon whom process may be served upon the
14 corporation.

15 ~~(2) ((An action upon the unlawful issuance of a check or draft may~~
16 ~~be brought in any county in which the defendant resides or may be~~
17 ~~brought in any division of the judicial district in which the check was~~
18 ~~issued or presented as payment.~~

1 (3)) The venue of any action brought against a corporation, at the
2 option of the plaintiff, shall be: (a) In the county where the tort
3 was committed; (b) in the county where the work was performed for said
4 corporation; (c) in the county where the agreement entered into with
5 the corporation was made; or (d) in the county where the corporation
6 has its residence.

7 **Sec. 2.** RCW 3.66.040 and 1988 c 71 s 1 are each amended to read as
8 follows:

9 (1) An action arising under RCW 3.66.020 (1), (2) except for the
10 recovery of possession of personal property, (4), (6), (7), and (9) may
11 be brought in any district in which the defendant, or, if there be more
12 than one defendant, where some one of the defendants, resides at the
13 time the complaint is filed or in which the defendant, or if there be
14 more than one defendant, where some one of the defendants may be served
15 with the notice and complaint in which latter case, however, the
16 district where the defendant or defendants is or are served must be
17 within the county in which the said defendant or defendants reside. If
18 the residence of the defendant is not ascertained by reasonable
19 efforts, the action may be brought in the district in which the
20 defendant's place of actual physical employment is located.

21 (2) An action arising under RCW 3.66.020(2) for the recovery of
22 possession of personal property and RCW 3.66.020(8) shall be brought in
23 the district in which the subject matter of the action or some part
24 thereof is situated.

25 (3) An action arising under RCW 3.66.020 (3) and (5) shall be
26 brought in the district in which the cause of action, or some part
27 thereof arose.

28 (4) An action arising under RCW 3.66.020(2) for the recovery of
29 damages for injuries to the person or for injury to personal property
30 arising from a motor vehicle accident may be brought, at the
31 plaintiff's option, either in the district in which the cause of
32 action, or some part thereof, arose, or in the district in which the
33 defendant, or, if there be more than one defendant, where some one of
34 the defendants, resides at the time the complaint is filed.

35 (5) An action against a nonresident of this state may be brought in
36 any district where service of process may be had, or in which the cause
37 of action or some part thereof arose, or in which the plaintiff or one
38 of them resides.

