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SENATE BILL 6429

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State of Washington 57th Legislature

2002 Regular Session

By Senators B. Sheldon, Johnson, Kline, Costa, McCaslin, Gardner, Long and Winsley; by request of Governor Locke and Attorney General

Read first time 01/17/2002. Referred to Committee on Judiciary.

1 AN ACT Relating to expressions of benevolence, sympathy, and  
2 regret; and adding a new chapter to Title 5 RCW.

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

4 NEW SECTION. **Sec. 1.** (1) The portion of statements, writings, or  
5 benevolent gestures expressing sympathy or a general sense of  
6 benevolence relating to the pain, suffering, or death of a person  
7 involved in an accident, and made to that person or to the family of  
8 that person, shall be inadmissible as evidence in a civil action. A  
9 statement of fault, however, which is part of, or in addition to, any  
10 of the above shall not be made inadmissible by this section.

11 (2) For purposes of this section:

12 (a) "Accident" means an occurrence resulting in injury or death to  
13 one or more persons that is not the result of willful action by a  
14 party.

15 (b) "Benevolent gestures" means actions that convey a sense of  
16 compassion or commiseration emanating from humane impulses.

17 (c) "Family" means the spouse, parent, grandparent, stepmother,  
18 stepfather, child, grandchild, brother, sister, half brother, half

1 sister, adopted child of a parent, or spouse's parents of an injured  
2 party.

3 NEW SECTION. **Sec. 2.** Section 1 of this act constitutes a new  
4 chapter in Title 5 RCW.

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