
ENGROSSED SENATE BILL 5135

State of Washington

67th Legislature

2021 Regular Session

By Senators Das, Hasegawa, Nguyen, Stanford, and Wilson, C.

Prefiled 01/08/21. Read first time 01/11/21. Referred to Committee on Law & Justice.

1 AN ACT Relating to unlawfully summoning a police officer; and
2 adding a new section to chapter 4.24 RCW.

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

4 NEW SECTION. **Sec. 1.** A new section is added to chapter 4.24 RCW
5 to read as follows:

6 (1) A person may bring a civil action for damages against any
7 person who knowingly causes a law enforcement officer to arrive at a
8 location to contact another person with the intent to:

9 (a) Infringe on the other person's rights under the Washington
10 state or United States Constitutions;

11 (b) Unlawfully discriminate against the other person;

12 (c) Cause the other person to feel harassed, humiliated, or
13 embarrassed;

14 (d) Cause the other person to be expelled from a place in which
15 the other person is lawfully located; or

16 (e) Damage the other person's:

17 (i) Reputation or standing in the community; or

18 (ii) Financial, economic, consumer, or business prospects or
19 interests.

1 (2) A person shall not be held liable under subsection (1) of
2 this section if the person acted in good faith in causing a law
3 enforcement officer to arrive.

4 (3) Upon prevailing in an action under this section, the
5 plaintiff may recover:

6 (a) The greater of:

7 (i) Economic and noneconomic damages; or
8 (ii) \$250 against each defendant found liable under this section;
9 and

10 (b) Punitive damages.

11 (4) The court may award reasonable attorneys' fees and costs to
12 the prevailing plaintiff in an action under this section.

13 (5) A civil action under this section:

14 (a) May be maintained in a court of limited jurisdiction if the
15 total damages claimed do not exceed the statutory limit for damages
16 that the court of limited jurisdiction may award; and

17 (b) Does not affect a right or remedy available under any other
18 law of this state.

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