

**SENATE BILL 5344**

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**State of Washington**

**52nd Legislature**

**1991 Regular Session**

**By** Senators Matson, Owen, Anderson, Oke, McCaslin, Stratton, Murray and Thorsness.

Read first time January 29, 1991. Referred to Committee on Commerce & Labor.

1 AN ACT Relating to industrial insurance benefits for injuries  
2 during voluntary recreational activities; and adding a new section to  
3 chapter 51.12 RCW.

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

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 51.12 RCW  
6 to read as follows:

7 If an employee's participation in a voluntary recreational activity  
8 or program is the proximate cause of the injury, benefits or  
9 compensation otherwise payable under this chapter for death or  
10 disability shall be forfeited even if the employer promoted or  
11 sponsored the recreational activity or program. The forfeiture of  
12 benefits or compensation does not apply if:

13 (1) The employee was directly ordered by the employer to  
14 participate in the recreational activity or program;

1       (2) The employee was paid wages or travel expenses while  
2 participating in the recreational activity or program; or

3       (3) The injury from the recreational activity or program occurred  
4 on the employer's premises because of an unsafe condition and the  
5 employer had actual knowledge of the employee's participation in the  
6 recreational activity or program and of the unsafe condition of the  
7 premises and failed to either curtail the recreational activity or  
8 program or cure the unsafe condition.