
SUBSTITUTE SENATE BILL 5130

State of Washington

53rd Legislature

1993 Regular Session

By Senate Committee on Law & Justice (originally sponsored by Senators Talmadge and A. Smith)

Read first time 01/28/93.

1 AN ACT Relating to attorneys' fees; and amending RCW 4.84.250 and
2 4.84.270.

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

4 **Sec. 1.** RCW 4.84.250 and 1984 c 258 s 88 are each amended to read
5 as follows:

6 Notwithstanding any other provisions of chapter 4.84 RCW and RCW
7 12.20.060, in any action for damages where the amount pleaded by the
8 prevailing party (~~as hereinafter defined~~), exclusive of costs, is
9 (~~seven~~) ten thousand (~~five hundred~~) dollars or less, there shall be
10 taxed and allowed to the prevailing party as a part of the costs of the
11 action a reasonable amount to be fixed by the court as attorneys' fees.
12 (~~After July 1, 1985, the maximum amount of the pleading under this~~
13 ~~section shall be ten thousand dollars.~~) If an offer of settlement of
14 ten thousand dollars or less is offered by either the plaintiff or the
15 defendant, the provisions of RCW 4.84.250 through 4.84.300 apply.

16 **Sec. 2.** RCW 4.84.270 and 1980 c 94 s 2 are each amended to read as
17 follows:

1 The defendant, or party resisting relief, shall be deemed the
2 prevailing party within the meaning of RCW 4.84.250, if the plaintiff,
3 or party seeking relief in an action for damages where the amount
4 pleaded or offered in settlement, exclusive of costs, is equal to or
5 less than the maximum allowed under RCW 4.84.250, recovers nothing, or
6 if the recovery, exclusive of costs, is the same or less than the
7 amount offered in settlement by the defendant, or the party resisting
8 relief, as set forth in RCW 4.84.280.

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