
SENATE BILL 5151

State of Washington

56th Legislature

1999 Regular Session

By Senators Johnson and Heavey

Read first time 01/14/1999. Referred to Committee on Judiciary.

1 AN ACT Relating to venue; amending RCW 3.66.040 and 4.12.025; and
2 adding a new section to chapter 19.16 RCW.

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

4 **Sec. 1.** RCW 3.66.040 and 1988 c 71 s 1 are each amended to read as
5 follows:

6 (1) An action arising under RCW 3.66.020 (1), (2) except for the
7 recovery of possession of personal property, (4), (6), (7), and (9) may
8 be brought in any district in which (~~the defendant, or, if there be~~
9 ~~more than one defendant, where some~~) one or more of the
10 defendants(~~(7)~~) resides at the time the complaint is filed or in which
11 (~~the defendant, or if there be more than one defendant, where some~~)
12 one or more of the defendants may be served with the notice and
13 complaint in which latter case, however, the district where the
14 defendant or defendants is or are served must be within the county in
15 which the (~~said~~) defendant or defendants reside; provided that an
16 action upon the unlawful issuance of a check or draft may be brought in
17 any division of the judicial district in which the check or draft was
18 issued or presented as payment. If the residence of the defendant is
19 not ascertained by reasonable efforts, the action may be brought in the

1 district in which the defendant's place of actual physical employment
2 is located.

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

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

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

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

21 (6) For the purposes of chapters 3.30 through 3.74 RCW, the
22 residence of a corporation defendant shall be deemed to be in any
23 district where the corporation transacts business or has an office for
24 the transaction of business or transacted business at the time the
25 cause of action arose or where any person resides upon whom process may
26 be served upon the corporation, unless herein otherwise provided.

27 **Sec. 2.** RCW 4.12.025 and 1998 c 56 s 1 are each amended to read as
28 follows:

29 (1) An action may be brought in any county in which the defendant
30 resides, or, if there be more than one defendant, where some one of the
31 defendants resides at the time of the commencement of the action. For
32 the purpose of this section, the residence of a corporation defendant
33 shall be deemed to be in any county where the corporation: (a)
34 Transacts business; (b) has an office for the transaction of business;
35 (c) transacted business at the time the cause of action arose; or (d)
36 where any person resides upon whom process may be served upon the
37 corporation.

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

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

11 NEW SECTION. **Sec. 3.** A new section is added to chapter 19.16 RCW
12 to read as follows:

13 For purposes of the fair debt collection practices act (15 U.S.C.
14 Sec. 1692 et seq.), the state shall be considered a single judicial
15 district whether an action is brought in superior, district, or small
16 claims court.

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