

E3SHB 1873 - S AMD 279

By Senators Brandland and Hargrove

ADOPTED 3/06/2008

1 On page 2, after line 7, insert the following:

2 "In any action under subsections (1)(a) or (b) of this section against
3 the state or a political subdivision thereof, the liability of the
4 state or political subdivision shall be several and not joint."

5 On page 4, after line 21, insert the following:

6 "(5) In any action under subsections (2)(a) or (b) of this section
7 against the state or a political subdivision thereof, the liability of
8 the state or political subdivision shall be several and not joint."

9 On page 5, after line 26, insert the following:

10 "In any action under this section against the state or a political
11 subdivision thereof, where the claim is based on subsection (5)(b) of
12 this section, the liability of the state or political subdivision shall
13 be several and not joint."

14 On page 5, after line 26, insert the following:

15 **"Sec. 5.** RCW 4.22.030 and 1986 c 305 s 402 are each amended to read as
16 follows:

17 Except as otherwise provided in RCW 4.22.070, 4.20.020, 4.20.060,
18 and 4.24.010, if more than one person is liable to a claimant on an
19 indivisible claim for the same injury, death or harm, the liability of
20 such persons shall be joint and several."

21 Renumber the sections consecutively and correct internal references
22 accordingly.

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EFFECT: Joint and several liability does not apply to additional claims made against state and local agencies under the act.