
HOUSE BILL 2700

State of Washington

69th Legislature

2026 Regular Session

By Representatives Taylor, Goodman, and Ormsby

Read first time 01/28/26. Referred to Committee on Civil Rights & Judiciary.

1 AN ACT Relating to arbitration for tort claims against the state
2 of Washington and its subdivisions; amending RCW 7.06.020; creating a
3 new section; and declaring an emergency.

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

5 NEW SECTION. **Sec. 1.** (1) The legislature recognizes that while
6 private entrepreneurs voluntarily choose the ambit of their activity
7 and can thereby exert some control over their exposure to liability,
8 state government does not have the same flexibility. In acting for
9 the public good and in responding to public need, state government
10 must provide a broad range of services and perform a broad range of
11 functions throughout the entire state, regardless of how much
12 exposure to liability may be involved. The legislature also
13 recognizes that the state and its political subdivisions provide
14 essential public services and functions and that unlimited liability
15 could disrupt or make prohibitively expensive the provision of such
16 essential public services and functions.

17 (2) The legislature finds that its power to control and regulate
18 the right of suit against it is plenary. The state may grant the
19 right or refuse it as it chooses and when granted may annex such
20 conditions thereto as it deems wise. Further, the state supreme court
21 has consistently acknowledged this constitutional duty includes the

1 power to establish conditions precedent before suit can be brought
2 against the state, including the placement of reasonable procedural
3 burdens that may be placed on tort claimants as long as such burdens
4 are not substantial and do not constitute a real impediment to
5 relief. The legislature therefore finds it necessary to protect the
6 public treasury from increasing liability while providing a
7 structured, fair process through arbitration for persons who seek
8 compensation for injuries caused by government negligence.

9 **Sec. 2.** RCW 7.06.020 and 2018 c 36 s 2 are each amended to read
10 as follows:

11 (1) ~~((All))~~ Except as provided in subsection (3) of this section,
12 all civil actions, except for appeals from municipal or district
13 courts, which are at issue in the superior court in counties which
14 have authorized arbitration, where the sole relief sought is a money
15 judgment, and where no party asserts a claim in excess of ~~((fifteen~~
16 ~~thousand dollars))~~ \$15,000, or if approved by the superior court of a
17 county by two-thirds or greater vote of the judges thereof, up to
18 ~~((one hundred thousand dollars))~~ \$100,000, exclusive of interest and
19 costs, are subject to civil arbitration.

20 (2) If approved by majority vote of the superior court judges of
21 a county which has authorized arbitration, all civil actions which
22 are at issue in the superior court in which the sole relief sought is
23 the establishment, termination, or modification of maintenance or
24 child support payments are subject to mandatory arbitration. The
25 arbitrability of any such action shall not be affected by the amount
26 or number of payments involved.

27 (3) All tort claims against the state or any of its subdivisions
28 are subject to civil arbitration for any dollar amount prior to being
29 scheduled for trial.

30 NEW SECTION. **Sec. 3.** This act is necessary for the immediate
31 preservation of the public peace, health, or safety, or support of
32 the state government and its existing public institutions, and takes
33 effect immediately.

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