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**SENATE BILL 6239**

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**State of Washington                      69th Legislature                      2026 Regular Session**

**By** Senators Dhingra, Pedersen, Conway, Llias, Robinson, and C. Wilson

Read first time 01/20/26. Referred to Committee on Law & Justice.

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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