

CERTIFICATION OF ENROLLMENT  
**ENGROSSED SUBSTITUTE SENATE BILL 5263**

Chapter 325, Laws of 2021

67th Legislature  
2021 Regular Session

LAW ENFORCEMENT—PERSONAL INJURY AND WRONGFUL DEATH CIVIL ACTIONS—  
DEFENSES

EFFECTIVE DATE: July 25, 2021

Passed by the Senate March 5, 2021  
Yeas 28 Nays 20

DENNY HECK

**President of the Senate**

Passed by the House April 8, 2021  
Yeas 56 Nays 42

Laurie Jinkins

**Speaker of the House of  
Representatives**

Approved May 18, 2021 11:50 AM

JAY INSLEE

**Governor of the State of Washington**

CERTIFICATE

I, Brad Hendrickson, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **ENGROSSED SUBSTITUTE SENATE BILL 5263** as passed by the Senate and the House of Representatives on the dates hereon set forth.

BRAD HENDRICKSON

**Secretary**

FILED

May 18, 2021

**Secretary of State  
State of Washington**

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**ENGROSSED SUBSTITUTE SENATE BILL 5263**

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Passed Legislature - 2021 Regular Session

**State of Washington**

**67th Legislature**

**2021 Regular Session**

**By** Senate Law & Justice (originally sponsored by Senators Frockt, Pedersen, Das, Hasegawa, Hunt, Kuderer, Lias, Saldaña, Wellman, and Wilson, C.)

READ FIRST TIME 02/05/21.

1        AN ACT Relating to defenses in personal injury and wrongful death  
2 actions where the person injured or killed was committing a felony;  
3 and amending RCW 4.24.420.

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

5        **Sec. 1.** RCW 4.24.420 and 1987 c 212 s 901 are each amended to  
6 read as follows:

7        ~~((†))~~ (1) Except in an action arising out of law enforcement  
8 activities resulting in personal injury or death, it is a complete  
9 defense to any action for damages for personal injury or wrongful  
10 death that the person injured or killed was engaged in the commission  
11 of a felony at the time of the occurrence causing the injury or death  
12 and the felony was a proximate cause of the injury or death.  
13 ~~((However, nothing))~~

14        (2) In an action arising out of law enforcement activities  
15 resulting in personal injury or death, it is a complete defense to  
16 the action that the finder of fact has determined beyond a reasonable  
17 doubt that the person injured or killed was engaged in the commission  
18 of a felony at the time of the occurrence causing the injury or  
19 death, the commission of which was a proximate cause of the injury or  
20 death.

1        (3) Nothing in this section shall affect a right of action under  
2 42 U.S.C. Sec. 1983.

Passed by the Senate March 5, 2021.

Passed by the House April 8, 2021.

Approved by the Governor May 18, 2021.

Filed in Office of Secretary of State May 18, 2021.

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