
SENATE BILL 5782

State of Washington

64th Legislature

2015 Regular Session

By Senators Nelson, Pedersen, Frockt, Habib, Darneille, Kohl-Welles, Benton, and McAuliffe

Read first time 02/02/15. Referred to Committee on Law & Justice.

1 AN ACT Relating to allowing a parent to bring an action for the
2 injury or death of a child younger than twenty-six years old who has
3 not been emancipated; amending RCW 4.24.010; and creating a new
4 section.

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

6 **Sec. 1.** RCW 4.24.010 and 1998 c 237 s 2 are each amended to read
7 as follows:

8 (1) A (~~mother or father, or both,~~) parent who has regularly
9 contributed to the support of (~~his or her minor child~~) a child
10 younger than twenty-six years old who has not been emancipated, (~~and~~
11 ~~the mother or father, or both, of a child on whom either, or both,~~
12 ~~are~~) or a parent who is dependent on a child for support may
13 maintain or join (~~as a party~~) an action as plaintiff for the injury
14 or death of the child.

15 (2) This section creates only one cause of action, but if the
16 parents of the child are not married, are separated, or not married
17 to each other damages may be awarded to each plaintiff separately, as
18 the trier of fact finds just and equitable.

19 (3) If one parent brings an action under this section and the
20 other parent is not named as a plaintiff, notice of the institution
21 of the suit, together with a copy of the complaint, shall be served

1 upon the other parent: PROVIDED, That notice shall be required only
2 if parentage has been duly established.

3 (4) Such notice shall be in compliance with the statutory
4 requirements for a summons. Such notice shall state that the other
5 parent must join as a party to the suit within twenty days or the
6 right to recover damages under this section shall be barred. Failure
7 of the other parent to timely appear shall bar such parent's action
8 to recover any part of an award made to the party instituting the
9 suit.

10 (5) In (~~such~~) an action under this section, in addition to
11 damages for medical, hospital, medication expenses, and loss of
12 services and support, damages may be recovered for the loss of love
13 and companionship of the child and for injury to or destruction of
14 the parent-child relationship in such amount as, under all the
15 circumstances of the case, may be just.

16 NEW SECTION. **Sec. 2.** This act may be known and cited as Katie's
17 law.

--- END ---