

CHAPTER 88.

[ S. B. 457. ]

VACATION AND MODIFICATION OF JUDGMENTS.

AN ACT relating to judgments; removing time limitation as to when a judgment entered by consent or stipulation and obtained by fraud or certain other grounds may be vacated or modified; amending section 4, chapter 27, Laws of 1891 and RCW 4.72.080; and declaring an emergency.

*Be it enacted by the Legislature of the State of Washington:*

SECTION 1. Section 4, chapter 27, Laws of 1891 and RCW 4.72.080 are each amended to read as follows:

RCW 4.72.080 amended.

The provisions of this chapter shall not be so construed as to affect the power of the court to vacate or modify judgments or orders as elsewhere in this code provided; nor shall the time limitations set forth in this chapter within which proceedings to vacate or modify a judgment must be started apply to a judgment heretofore or hereafter entered by consent or stipulation where the grounds to vacate or modify such judgment are based on fraud or misrepresentation, or when after the entry of the judgment either party fails to fulfill the terms and conditions on which the consent judgment or stipulation was entered; nor shall any judgment of acquittal in a criminal action be vacated under the provisions of this chapter.

Vacation and modification of judgments. Construction of chapter.

SEC. 2. This act is necessary for the immediate preservation of the public peace, health and safety, the support of the state government and its existing public institutions, and shall take effect immediately.

Emergency.

Passed the Senate February 22, 1961.

Passed the House March 1, 1961.

Approved by the Governor March 8, 1961.