

CHAPTER 44
[House Bill No. 325]
ACTIONS AGAINST STATE--VENUE

AN ACT Relating to civil procedure; and amending section 1, chapter 95, Laws of 1895 as last amended by section 1, chapter 159, Laws of 1963 and RCW 4.92.010.

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

Section 1. Section 1, chapter 95, Laws of 1895 as last amended by section 1, chapter 159, Laws of 1963 and RCW 4.92.010 are each amended to read as follows:

Any person or corporation having any claim against the state of Washington shall have a right of action against the state in the superior court ((of Thurston county)). The plaintiff in such action shall, at the time of filing his complaint, file a surety bond executed by the plaintiff and a surety company authorized to do business in the state of Washington to the effect that such plaintiff will indemnify the state against all costs that may accrue in such action, and will pay to the clerk of said court all costs in case the plaintiff shall fail to prosecute his action or to obtain a judgment against the state: PROVIDED, That in actions for the enforcement or foreclosure of any lien upon, or to determine or quiet title to, any real property in which the state of Washington is a necessary or proper party defendant ((may be commenced and prosecuted to judgment against the state in the superior court of the county in which real property is situated, and that)) no surety bond as above provided for shall be required ((in any such action: PROVIDED FURTHER, That actions on a claim arising out of tortious conduct may be commenced against the state in the superior court of Thurston county, the county in which the claim arises, or the county in which the plaintiff resides. Such action shall be subject to a change of venue as provided by law)).

The venue for such actions shall be as follows:

(1) The county of the residence or principal place of business of one or more of the plaintiffs;

(2) The county where the cause of action arose;

(3) The county in which the real property that is the subject of the action is situated;

(4) The county where the action may be properly commenced by reason of the joinder of an additional defendant; or

(5) Thurston county.

Actions shall be subject to change of venue in accordance with statute, rules of court, and the common law as the same now exist or may hereafter be amended, adopted, or altered.

Actions shall be tried in the county in which they have been commenced in the absence of a reasonable motion by or in behalf of the state to change the venue of the action.

Passed the House February 19, 1973.

Passed the Senate February 22, 1973.

Approved by the Governor March 6, 1973.

Filed in Office of Secretary of State March 7, 1973.

CHAPTER 45

[House Bill No. 360]

SCHOOL BUSES--AUTHORIZING ELDERLY TRANSPORTATION--

AN ACT Relating to school districts; amending section 28A.24.055, chapter 223, Laws of 1969 ex. sess. as last amended by section 3, chapter 24, Laws of 1971 and RCW 28A.24.055; amending section 1, chapter 78, Laws of 1971 and RCW 28A.24.110; and adding a new section to chapter 28A.24 RCW.

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

Section 1. Section 28A.24.055, chapter 223, Laws of 1969 ex. sess. as last amended by section 3, chapter 24, Laws of 1971 and RCW 28A.24.055 are each amended to read as follows:

Every board of directors shall provide and pay for transportation of children to and from school whether such children live within or without the district when in its judgment the best interests of the district will be subserved thereby, but the board is not compelled to transport any pupil living within two miles of the schoolhouse.

When children are transported from one school district to another the board of directors of the respective districts may enter into a written contract providing for a division of the cost of such transportation between the districts.

When commercial charter bus service is not reasonably available to a school district, the state board of education may authorize the use of school buses and drivers hired by the district for the transportation of school children and the school employees necessary for their supervision to and from any school activities within or without the school district during or after school hours and whether or not a required school activity, so long as the school board has officially designated it as a school activity. For any extra-curricular uses, the school board shall charge an amount sufficient to reimburse the district for its cost.

In addition to the right to contract for the use of buses provided in RCW 28A.24.170 and 28A.24.172, any school district may