

CHAPTER 59

[House Bill No. 92]

MERCHANDISE—UNLAWFUL TAKING—DAMAGES—
PENALTIES—COSTS

AN ACT Relating to special rights of action; and adding a new section to chapter 4.24 RCW.

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

NEW SECTION. Section 1. There is added to chapter 4.24 RCW a new section to read as follows:

(1) An adult or emancipated minor who takes possession of any goods, wares or merchandise displayed or offered for sale by any wholesale or retail store or other mercantile establishment without the consent of the owner or seller, and with the intention of converting such goods, wares or merchandise to his own use without having paid the purchase price thereof shall be liable in addition to actual damages, for a penalty to the owner or seller in the amount of the retail value thereof not to exceed one thousand dollars, plus costs of preparing and presenting the action of not less than one hundred dollars nor more than two hundred dollars.

(2) The parent or legal guardian having the custody of an unemancipated minor who takes possession of any goods, wares or merchandise displayed or offered for sale by any wholesale or retail store or other mercantile establishment without the consent of the owner or seller and with the intention of converting such goods, wares or merchandise to his own use without having paid the purchase price thereof, shall be liable as a penalty to the owner or seller for the retail value of such goods, wares or merchandise not to exceed five hundred dollars plus costs of preparing and presenting the action of not less than one hundred dollars nor more than two hundred dollars: PROVIDED, That for the purposes of this subsection, liability shall not be imposed upon any governmental entity or private agency which has been assigned responsibility for the minor child pursuant to court order or action of the department of social and health services.

(3) Claims, but not judgments, arising under this section may not be assigned.

(4) A conviction for violation of RCW 9.78.010 or 9.54.010 shall not be a condition precedent to maintenance of a civil action authorized by this section.

Passed the House May 13, 1975.

Passed the Senate May 6, 1975.

Approved by the Governor May 22, 1975.

Filed in Office of Secretary of State May 22, 1975.

CHAPTER 60

[House Bill No. 112]

SUPERINTENDENT OF PUBLIC INSTRUCTION—
ACCUMULATED SICK LEAVE FUND

AN ACT Relating to abolishing the accumulated sick leave fund established in the office of the superintendent of public instruction; providing for the disposition of the moneys therein; repealing section 28A.03.050, chapter 223, Laws of 1969 ex. sess., section 103, chapter 176, Laws of 1969 ex. sess. and RCW 28A.03.050; and declaring an emergency and making an effective date.

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