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**SUBSTITUTE HOUSE BILL 2218**

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**State of Washington**

**54th Legislature**

**1996 Regular Session**

**By** House Committee on Corrections (originally sponsored by Representatives Ballasiotes, Schoesler, Radcliff, Koster, Smith, Horn, Sheahan, Thompson, Blanton, Costa, Backlund and Quall)

Read first time 01/19/96.

1 AN ACT Relating to civil actions involving offenders; adding a new  
2 section to chapter 72.09 RCW; adding a new section to chapter 9.92 RCW;  
3 adding a new section to chapter 70.48 RCW; and prescribing penalties.

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

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 72.09 RCW  
6 to read as follows:

7 An offender shall forfeit all earned early release time  
8 attributable to good conduct that was earned up to the time of the  
9 commission of the act, or forfeit such part of the earned early release  
10 time as the secretary considers just, if a state or federal court finds  
11 that the offender committed one or more of the following acts in the  
12 course of a civil action concerning the department of corrections or  
13 any of its employees:

- 14 (1) Bringing a claim without substantial justification;  
15 (2) Bringing a claim solely or primarily for delay or harassment;  
16 (3) Unreasonably expanding or delaying a proceeding;  
17 (4) Engaging in abuse of discovery;  
18 (5) Presenting forged, false, or intentionally misleading documents  
19 or statements; or

1 (6) Contempt.

2 NEW SECTION. **Sec. 2.** A new section is added to chapter 9.92 RCW  
3 to read as follows:

4 An offender shall forfeit all earned early release time  
5 attributable to good behavior that was earned up to the time of the  
6 commission of the act, or forfeit such part of the earned early release  
7 time as the correctional agency having jurisdiction considers just, if  
8 a state or federal court finds that the offender committed one or more  
9 of the following acts in the course of a civil action concerning the  
10 correctional agency or any of its employees:

- 11 (1) Bringing a claim without substantial justification;
- 12 (2) Bringing a claim solely or primarily for delay or harassment;
- 13 (3) Unreasonably expanding or delaying a proceeding;
- 14 (4) Engaging in abuse of discovery;
- 15 (5) Presenting forged, false, or intentionally misleading documents  
16 or statements; or
- 17 (6) Contempt.

18 NEW SECTION. **Sec. 3.** A new section is added to chapter 70.48 RCW  
19 to read as follows:

20 An offender shall forfeit all earned early release time  
21 attributable to good behavior that was earned up to the time of the  
22 commission of the act, or forfeit such part of the earned early release  
23 time as the person responsible for the operation of the jail considers  
24 just, if a state or federal court finds that the offender committed one  
25 or more of the following acts in the course of a civil action  
26 concerning the jail or any of its employees:

- 27 (1) Bringing a claim without substantial justification;
- 28 (2) Bringing a claim solely or primarily for delay or harassment;
- 29 (3) Unreasonably expanding or delaying a proceeding;
- 30 (4) Engaging in abuse of discovery;
- 31 (5) Presenting forged, false, or intentionally misleading documents  
32 or statements; or
- 33 (6) Contempt.

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