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**SENATE BILL 6227**

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**State of Washington**

**66th Legislature**

**2020 Regular Session**

**By** Senator Wagoner

Prefiled 01/10/20.

1 AN ACT Relating to the burden of proof in disputes involving  
2 enforcement actions by certain regulatory agencies; adding a new  
3 section to chapter 43.21A RCW; adding a new section to chapter 43.23  
4 RCW; adding a new section to chapter 43.30 RCW; adding a new section  
5 to chapter 43.70 RCW; and adding a new section to chapter 43.300 RCW.

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

7 NEW SECTION. **Sec. 1.** A new section is added to chapter 43.21A  
8 RCW to read as follows:

9 Unless otherwise provided by law, the burden of proof is on the  
10 department in any dispute involving an enforcement action undertaken  
11 by the department. For the purposes of this section, "enforcement  
12 action" means an action by the department to enforce the law against  
13 another party including, but not limited to, the issuance or  
14 imposition of a notice, determination, citation, order, fine,  
15 penalty, or other similar enforcement instrument.

16 NEW SECTION. **Sec. 2.** A new section is added to chapter 43.23  
17 RCW to read as follows:

18 Unless otherwise provided by law, the burden of proof is on the  
19 department in any dispute involving an enforcement action undertaken  
20 by the department. For the purposes of this section, "enforcement

1 action" means an action by the department to enforce the law against  
2 another party including, but not limited to, the issuance or  
3 imposition of a notice, determination, citation, order, fine,  
4 penalty, or other similar enforcement instrument.

5 NEW SECTION. **Sec. 3.** A new section is added to chapter 43.30  
6 RCW to read as follows:

7 Unless otherwise provided by law, the burden of proof is on the  
8 department in any dispute involving an enforcement action undertaken  
9 by the department. For the purposes of this section, "enforcement  
10 action" means an action by the department to enforce the law against  
11 another party including, but not limited to, the issuance or  
12 imposition of a notice, determination, citation, order, fine,  
13 penalty, or other similar enforcement instrument.

14 NEW SECTION. **Sec. 4.** A new section is added to chapter 43.70  
15 RCW to read as follows:

16 Unless otherwise provided by law, the burden of proof is on the  
17 department in any dispute involving an enforcement action undertaken  
18 by the department. For the purposes of this section, "enforcement  
19 action" means an action by the department to enforce the law against  
20 another party including, but not limited to, the issuance or  
21 imposition of a notice, determination, citation, order, fine,  
22 penalty, or other similar enforcement instrument.

23 NEW SECTION. **Sec. 5.** A new section is added to chapter 43.300  
24 RCW to read as follows:

25 Unless otherwise provided by law, the burden of proof is on the  
26 department in any dispute involving an enforcement action undertaken  
27 by the department. For the purposes of this section, "enforcement  
28 action" means an action by the department to enforce the law against  
29 another party including, but not limited to, the issuance or  
30 imposition of a notice, determination, citation, order, fine,  
31 penalty, or other similar enforcement instrument.

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