
SENATE BILL 5320

State of Washington

54th Legislature

1995 Regular Session

By Senator McCaslin

Read first time 01/18/95. Referred to Committee on Law & Justice.

1 AN ACT Relating to the use of physical force against intruders;
2 adding a new section to chapter 9A.16 RCW; and creating a new section.

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

4 NEW SECTION. **Sec. 1.** The legislature hereby recognizes that the
5 citizens of the state of Washington have a right to expect absolute
6 safety within their own homes.

7 NEW SECTION. **Sec. 2.** A new section is added to chapter 9A.16 RCW
8 to read as follows:

9 (1) Notwithstanding RCW 9A.16.020 and 9A.16.050, an occupant of a
10 dwelling is justified in using any degree of physical force within the
11 dwelling, including deadly physical force, against another person when:

12 (a) That other person has made an unlawful entry into the dwelling;

13 (b) The occupant has reason to believe that such other person has
14 committed a crime in the dwelling in addition to the uninvited entry,
15 or is committing or intends to commit a crime against a person or
16 property in addition to the uninvited entry; and

17 (c) The occupant has reason to believe that such other person might
18 use physical force against any occupant.

1 (2) An occupant of a dwelling using physical force, including
2 deadly physical force, in accordance with the provisions of subsection
3 (1) of this section shall be immune from criminal prosecution for the
4 use of such force.

5 (3) An occupant of a dwelling using physical force, including
6 deadly physical force, in accordance with the provisions of subsection
7 (1) of this section shall be immune from any civil liability for
8 injuries or death resulting from the use of such force.

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