
HOUSE BILL 1205

State of Washington

56th Legislature

1999 Regular Session

By Representatives Carrell, Sheahan, Sullivan, Koster, Cairnes, Crouse, Schindler, Fortunato, Bush, Mielke, Campbell, Sump, Hurst, Boldt, Mulliken, Wensman, D. Sommers and Dunn

Read first time 01/19/1999. Referred to Committee on Judiciary.

1 AN ACT Relating to defenses in civil actions; and amending RCW
2 4.24.420.

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

4 **Sec. 1.** RCW 4.24.420 and 1987 c 212 s 901 are each amended to read
5 as follows:

6 It is a complete defense to any action for damages for personal
7 injury or wrongful death that the person injured or killed was engaged
8 in the commission of a felony, a gross misdemeanor, or a misdemeanor at
9 the time of the occurrence causing the injury or death and the felony,
10 the gross misdemeanor, or the misdemeanor was a proximate cause of the
11 injury or death. However, nothing in this section shall affect a right
12 of action under 42 U.S.C. Sec. 1983, nor shall anything in this section
13 affect a right of action under the common law doctrine of attractive
14 nuisance when the only offense committed or intended to be committed is
15 trespass.

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