

1205

Sponsor(s): Representatives Carrell, Lovick, Sheahan, Sullivan, Koster, Cairnes, Crouse, Schindler, Fortunato, Bush, Mielke, Campbell, Sump, Hurst, Boldt, Mulliken, Wensman, D. Sommers and Dunn

Brief Title: Addressing defenses in civil actions.

HB 1205 - DIGEST

Declares that it is a complete defense to any action for damages for personal injury or wrongful death that the person injured or killed was engaged in the commission of a felony, a gross misdemeanor, or a misdemeanor at the time of the occurrence causing the injury or death and the felony, the gross misdemeanor, or the misdemeanor was a proximate cause of the injury or death.

Provides that, nothing in this provision shall affect a right of action under 42 U.S.C. Sec. 1983, nor shall anything in this provision affect a right of action under the common law doctrine of attractive nuisance when the only offense committed or intended to be committed is trespass.