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SENATE BILL 6255

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State of Washington

56th Legislature

2000 Regular Session

By Senators Rasmussen, Prentice, Morton, Franklin, Heavey, Brown and Goings

Read first time 01/12/2000. Referred to Committee on Agriculture & Rural Economic Development.

1 AN ACT Relating to anhydrous ammonia; adding a new chapter to Title  
2 15 RCW; and prescribing penalties.

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

4 NEW SECTION. **Sec. 1.** A person is guilty of the crime of unlawful  
5 possession of anhydrous ammonia if the person possesses anhydrous  
6 ammonia with the intent to use such anhydrous ammonia in the  
7 manufacture of a controlled substance as defined in chapter 69.50 RCW.  
8 Violation of this section is a class C felony.

9 NEW SECTION. **Sec. 2.** A person is guilty of the crime of unlawful  
10 storage of anhydrous ammonia if the person possesses anhydrous ammonia  
11 in a container that is not approved by the United States department of  
12 transportation to hold anhydrous ammonia. Violation of this section is  
13 a class C felony.

14 NEW SECTION. **Sec. 3.** Any damages arising out of the unlawful  
15 possession of, storage of, or tampering with anhydrous ammonia or  
16 anhydrous ammonia equipment shall be the sole responsibility of the  
17 unlawful possessor, storer, or tamperer. In no case shall liability

1 for damages arising out of the unlawful possession of, storage of, or  
2 tampering with anhydrous ammonia or anhydrous ammonia equipment extend  
3 to the owner, installer, maintainer, designer, manufacturer, or seller  
4 of the anhydrous ammonia or anhydrous ammonia equipment, unless such  
5 damages arise out of the owner's, installer's, maintainer's,  
6 designer's, manufacturer's, or seller's acts or omissions that  
7 constitute negligent misconduct to abide by the laws regarding  
8 anhydrous ammonia possession and storage.

9       NEW SECTION.   **Sec. 4.** Sections 1 through 3 of this act constitute  
10 a new chapter in Title 15 RCW.

11       NEW SECTION.   **Sec. 5.** If any provision of this act or its  
12 application to any person or circumstance is held invalid, the  
13 remainder of the act or the application of the provision to other  
14 persons or circumstances is not affected.

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