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**SUBSTITUTE HOUSE BILL 2382**

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**State of Washington                      59th Legislature                      2006 Regular Session**

**By** House Committee on Judiciary (originally sponsored by Representatives Kretz, Haler and Holmquist)

READ FIRST TIME 01/26/06.

1            AN ACT Relating to bovine handling facilities; and adding a new  
2 section to chapter 4.24 RCW.

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

4            NEW SECTION.    **Sec. 1.** A new section is added to chapter 4.24 RCW  
5 to read as follows:

6            (1) Except as provided in subsection (2) of this section, an owner,  
7 operator, or manager of a bovine handling facility, and the owner of  
8 bovine handled at or processed through a bovine handling facility, are  
9 not liable for an injury to or the death of a person who knowingly and  
10 voluntarily participates in bovine handling activities at a bovine  
11 handling facility or knowingly and voluntarily enters onto the premises  
12 of a bovine handling facility as a spectator of bovine handling  
13 activities.

14            (2) Nothing in subsection (1) of this section prevents or limits  
15 the liability of an owner, operator, or manager of a bovine handling  
16 facility, or an owner of bovine handled at or processed through a  
17 bovine handling facility, if the owner, operator, or manager of the  
18 bovine handling facility, or the bovine owner:

1 (a) Intentionally injures the participant or spectator or commits  
2 an act or omission that constitutes willful or wanton disregard for the  
3 safety of the participant or spectator and that act or omission caused  
4 the injury;

5 (b) Owns, leases, rents, or otherwise is in lawful possession and  
6 control of the land or facilities upon which the participant or  
7 spectator sustained injuries because of a dangerous latent condition  
8 which was known to or should have been known to the owner, operator, or  
9 manager of the bovine handling facility, or the bovine owner, and for  
10 which warning signs have not been conspicuously posted; or

11 (c) Is liable under chapter 16.04 or 16.24 RCW.

12 (3) As used in this section:

13 (a) "Bovine" means beef cattle, dairy cattle, and bison.

14 (b) "Bovine handling facility" means an outdoor facility that is  
15 used for the normal and customary handling and husbandry of bovines,  
16 whether on a daily or periodic basis, such as corrals.

17 (c) "Bovine handling activities" means normal and customary  
18 activities associated with the handling and husbandry of bovines.

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