
HOUSE BILL 2416

State of Washington

52nd Legislature

1992 Regular Session

By Representatives R. King, Neher, Grant, Chandler, Orr, Rasmussen,
Morton and Hochstatter

Read first time 01/16/92. Referred to Committee on Judiciary.

1 AN ACT Relating to hunting, fishing, and otherwise recreating on
2 private property; and amending RCW 9A.52.010.

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

4 **Sec. 1.** RCW 9A.52.010 and 1985 c 289 s 1 are each amended to read
5 as follows:

6 The following definitions apply in this chapter:

7 (1) "Premises" includes any building, dwelling, structure used for
8 commercial aquaculture, or any real property;

9 (2) "Enter". The word "enter" when constituting an element or part
10 of a crime, shall include the entrance of the person, or the insertion
11 of any part of his body, or any instrument or weapon held in his hand
12 and used or intended to be used to threaten or intimidate a person or
13 to detach or remove property;

1 (3) "Enters or remains unlawfully". A person "enters or remains
2 unlawfully" in or upon premises when he is not then licensed, invited,
3 or otherwise privileged to so enter or remain.

4 A license or privilege to enter or remain in a building which is
5 only partly open to the public is not a license or privilege to enter
6 or remain in that part of a building which is not open to the public.
7 A person who enters or remains upon unimproved and apparently unused
8 land, which is neither fenced nor otherwise enclosed in a manner
9 designed to exclude intruders, does so with license and privilege
10 unless notice against trespass is personally communicated to him by the
11 owner of the land or some other authorized person, or unless notice is
12 given by posting in a conspicuous manner. Land that is used for
13 commercial aquaculture or for growing an agricultural crop or crops,
14 other than timber, is not unimproved and apparently unused land if a
15 crop or any other sign of cultivation is clearly visible or if notice
16 is given by posting in a conspicuous manner. Similarly, a field fenced
17 in any manner is not unimproved and apparently unused land. A person
18 who enters or remains upon land that is posted or fenced, or is used
19 for growing an agricultural crop or crops, other than timber, for the
20 purposes of recreation including hunting and fishing, does so without
21 license and privilege unless the owner or another authorized person has
22 granted the person written permission to hunt, fish, or otherwise
23 recreate on the land in question;

24 (4) "Data" means a representation of information, knowledge, facts,
25 concepts, or instructions that are being prepared or have been prepared
26 in a formalized manner and are intended for use in a computer;

27 (5) "Computer program" means an ordered set of data representing
28 coded instructions or statements that when executed by a computer cause
29 the computer to process data;

1 (6) "Access" means to approach, instruct, communicate with, store
2 data in, retrieve data from, or otherwise make use of any resources of
3 a computer, directly or by electronic means.