

SB 5140 - S AMD
By Senator Haynor

ADOPTED 3/11/91 - Voice Vote

On page 1, beginning on line 7, strike all of section 2 and insert the following:

"NEW SECTION. **Sec. 2.** A new section is added to chapter 9A.16 RCW to read as follows:

(1) Notwithstanding RCW 9A.16.020 and 9A.16.050, an occupant of a dwelling is justified in using any degree of physical force within the dwelling, including deadly physical force, against another person when:

(a) That other person has made an unlawful entry into the dwelling;

(b) The occupant has reason to believe that such other person has committed a crime in the dwelling in addition to the uninvited entry, or is committing or intends to commit a crime against a person or property in addition to the uninvited entry; and

(c) The occupant has reason to believe that such other person might use physical force against any occupant.

(2) An occupant of a dwelling using physical force, including deadly physical force, in accordance with the provisions of subsection (1) of this section shall be immune from criminal prosecution for the use of such force.

(3) An occupant of a dwelling using physical force, including deadly physical force, in accordance with the provisions of subsection (1) of this section shall be immune from any civil liability for injuries or death resulting from the use of such force."