

2 **SSB 6635 - H AMD Adopted March 6, 2002**

3 By Representative Campbell

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5 On page 5, line 31, after "RCW 9A.20.021." insert "It is an
6 affirmative defense that the defendant must prove by a preponderance of
7 the evidence that he or she was in compliance with the requirements for
8 ownership of a dangerous dog pursuant to this chapter and the person or
9 domestic animal attacked or bitten by the defendant's dog trespassed on
10 the defendant's real or personal property or provoked the defendant's
11 dog without justification or excuse."

12 On page 6, line 1, after "RCW 9A.20.021." insert "It is an
13 affirmative defense that the defendant must prove by a preponderance of
14 the evidence that the human severely injured or killed by the
15 defendant's dog: (a) Trespassed on the defendant's real or personal
16 property which was enclosed by fencing suitable to prevent the entry of
17 young children and designed to prevent the dog from escaping and marked
18 with clearly visible signs warning people, including children, not to
19 trespass and to beware of dog; or (b) provoked the defendant's dog
20 without justification or excuse on the defendant's real or personal
21 property which was enclosed by fencing suitable to prevent the entry of
22 young children and designed to prevent the dog from escaping and marked
23 with clearly visible signs warning people, including children, not to
24 trespass and to beware of dog."

EFFECT: Creates an affirmative defense that the defendant must prove by a preponderance of the evidence that the person injured by the defendant's dog trespassed on the defendant's real or personal property which was enclosed and signed or provoked the defendant's dog without justification or excuse on property which was enclosed and signed.

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