

(4) Other assets, if any, shall be returned to the governing body of the city, town, or county for uses allowed under state law.

Passed the Senate April 10, 1987.

Passed the House April 7, 1987.

Approved by the Governor May 7, 1987.

Filed in Office of Secretary of State May 7, 1987.

CHAPTER 276

[House Bill No. 856]

BED AND BREAKFAST INDUSTRY STUDY

AN ACT Relating to the bed and breakfast industry; creating a new section; and providing an expiration date.

Be it enacted by the Legislature of the State of Washington:

NEW SECTION. Sec. 1. (1) The commerce and labor committee of the senate and the trade and economic development committee of the house of representatives shall jointly study the bed and breakfast industry.

(2) The study shall review the bed and breakfast industry, its economic impact on the state of Washington, and its impact on the environment of the state of Washington.

(3) The committees shall report their findings to the legislature before June 1, 1988.

NEW SECTION. Sec. 2. This act shall expire December 1, 1988.

Passed the House April 22, 1987.

Passed the Senate April 13, 1987.

Approved by the Governor May 7, 1987.

Filed in Office of Secretary of State May 7, 1987.

CHAPTER 277

[Engrossed Senate Bill No. 6012]

INDECENT EXPOSURE

AN ACT Relating to indecent exposure; and amending RCW 9A.88.010.

Be it enacted by the Legislature of the State of Washington:

Sec. 1. Section 9A.88.010, chapter 260, Laws of 1975 1st ex. sess. and RCW 9A.88.010 are each amended to read as follows:

(1) A person is guilty of (~~(public indecency)~~) indecent exposure if he intentionally makes any open and obscene exposure of his person or the person of another knowing that such conduct is likely to cause reasonable affront or alarm.

(2) (~~Public indecency~~) Indecent exposure is a misdemeanor unless such person exposes himself to a person under the age of fourteen years in which case (~~indecency~~) indecent exposure is a gross misdemeanor.

Sec. 2. Section 1, chapter 198, Laws of 1969 ex. sess. as last amended by section 3, chapter 267, Laws of 1985 and by section 9, chapter 303, Laws of 1985 and RCW 10.31.100 are each reenacted [and] amended to read as follows:

A police officer having probable cause to believe that a person has committed or is committing a felony shall have the authority to arrest the person without a warrant. A police officer may arrest a person without a warrant for committing a misdemeanor or gross misdemeanor only when the offense is committed in the presence of the officer, except as provided in subsections (1) through (~~(5)~~) (6) of this section.

(1) Any police officer having probable cause to believe that a person has committed or is committing a misdemeanor or gross misdemeanor, involving physical harm or threats of harm to any person or property or the unlawful taking of property or involving the use or possession of cannabis shall have the authority to arrest the person.

(2) A police officer shall arrest and take into custody, pending release on bail, personal recognizance, or court order, a person without a warrant when the officer has probable cause to believe that:

(a) An order has been issued of which the person has knowledge under RCW 10.99.040(2), 10.99.050, 26.09.060, chapter 26.26 RCW, or chapter 26.50 RCW restraining the person and the person has violated the terms of the order restraining the person from acts or threats of violence or excluding the person from a residence; or

(b) The person is eighteen years or older and within the preceding four hours has assaulted that person's spouse, former spouse, or a person eighteen years or older with whom the person resides or has formerly resided and the officer believes: (i) A felonious assault has occurred; (ii) an assault has occurred which has resulted in bodily injury to the victim, whether the injury is observable by the responding officer or not; or (iii) that any physical action has occurred which was intended to cause another person reasonably to fear imminent serious bodily injury or death. Bodily injury means physical pain, illness, or an impairment of physical condition. When the officer has probable cause to believe that spouses, former spouses, or other persons who reside together or formerly resided together have assaulted each other, the officer is not required to arrest both persons. The officer shall arrest the person whom the officer believes to be the primary physical aggressor. In making this determination, the officer shall make every reasonable effort to consider: (i) The intent to protect victims of domestic violence under RCW 10.99.010; (ii) the comparative extent of injuries inflicted or serious threats creating fear of physical injury; and (iii) the history of domestic violence between the persons involved.

(3) Any police officer having probable cause to believe that a person has committed or is committing a violation of any of the following traffic laws shall have the authority to arrest the person:

(a) RCW 46.52.010, relating to duty on striking an unattended car or other property;

(b) RCW 46.52.020, relating to duty in case of injury to or death of a person or damage to an attended vehicle;

(c) RCW 46.61.500 or 46.61.530, relating to reckless driving or racing of vehicles;

(d) RCW 46.61.502 or 46.61.504, relating to persons under the influence of intoxicating liquor or drugs;

(e) RCW 46.20.342, relating to driving a motor vehicle while operator's license is suspended or revoked;

(f) RCW 46.61.525, relating to operating a motor vehicle in a negligent manner.

(4) A law enforcement officer investigating at the scene of a motor vehicle accident may arrest the driver of a motor vehicle involved in the accident if the officer has probable cause to believe that the driver has committed in connection with the accident a violation of any traffic law or regulation.

(5) Any police officer having probable cause to believe that a person has committed or is committing a violation of RCW 88.02.095 shall have the authority to arrest the person.

(6) Any police officer having probable cause to believe that a person has committed or is committing any act of indecent exposure, as defined in RCW 9A.88.010, may arrest the person.

(7) Except as specifically provided in subsections (2), (3), and (4) of this section, nothing in this section extends or otherwise affects the powers of arrest prescribed in Title 46 RCW.

~~((7))~~ (8) No police officer may be held criminally or civilly liable for making an arrest pursuant to RCW 10.31.100(2) if the police officer acts in good faith and without malice.

Passed the Senate April 26, 1987.

Passed the House April 25, 1987.

Approved by the Governor May 7, 1987.

Filed in Office of Secretary of State May 7, 1987.

---

## CHAPTER 278

[Substitute Senate Bill No. 5232]

### UNEMPLOYMENT COMPENSATION—BASE YEAR AND BENEFIT YEAR COMPUTATION MODIFIED

AN ACT Relating to unemployment compensation; and amending RCW 50.04.020, 50.04.030, and 50.06.030.