

leged to remain, who defies an order to leave public or private places or public or private premises communicated to him by the owner of said place or premises or by some other authorized person, shall be guilty of criminal trespass, a misdemeanor.

It is a defense to prosecution for criminal trespass under this section that (a) the building or occupied structure referred to in subsection (1) above was abandoned, or (b) any place or premises referred to in this section were at the time open to members of the public and the actor complied with all lawful conditions imposed on access to or remaining in the premises or (c) the actor reasonably believed that the owner of any of the places or premises referred to in this section or other person empowered to license access thereto would have licensed him to enter or remain or (d) the actor had possession of the premises originally under a landlord-tenant relationship or as mortgagor or vendee on a real estate contract.

NEW SECTION. Sec. 2. This 1969 act is necessary for the immediate preservation of the public peace, health and safety, the support of the state government and its existing public institutions, and shall take effect immediately.

NEW SECTION. Sec. 3. If any provision of this act, or its application to any person or circumstance is held invalid, the remainder of this act, or the application of the provision to other persons or circumstances is not affected.

Passed the Senate February 4, 1969.

Passed the House February 11, 1969.

Approved by the Governor February 21, 1969.

Filed in office of Secretary of State February 21, 1969.

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CHAPTER 8

[Engrossed House Bill No. 123]

FIREARMS AND OTHER DANGEROUS WEAPONS

AN ACT Relating to firearms and other dangerous weapons; adding a new section to chapter 9.41 RCW; prescribing penalties; and declaring an emergency.

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

NEW SECTION. Section 1. There is added to chapter 9.41 RCW a

new section to read as follows:

(1) It shall be unlawful for anyone to carry, exhibit, display or draw any firearm, dagger, sword, knife or other cutting or stabbing instrument, club, or any other weapon apparently capable of producing bodily harm, in a manner, under circumstances, and at a time and place that either manifests an intent to intimidate another or that warrants alarm for the safety of other persons.

(2) Any person violating the provisions of subsection (1) above shall be guilty of a gross misdemeanor.

(3) Subsection (1) of this act shall not apply to or affect the following:

(a) Any act committed by a person while in his place of abode or fixed place of business;

(b) Any person who by virtue of his office or public employment is vested by law with a duty to preserve public safety, maintain public order, or to make arrests for offenses, while in the performance of such duty;

(c) Any person acting for the purpose of protecting himself against the use of presently threatened unlawful force by another, or for the purpose of protecting another against the use of such unlawful force by a third person;

(d) Any person making or assisting in making a lawful arrest for the commission of a felony; or

(e) Any person engaged in military activities sponsored by the federal or state governments.

NEW SECTION. Sec. 2. This act is necessary for the immediate preservation of the public peace, health and safety, the support of state and local governments and their existing public institutions, and shall take effect immediately.

Passed the House February 27, 1969.  
Passed the Senate February 27, 1969.  
Approved by the Governor February 28, 1969.  
Filed in office of Secretary of State February 28, 1969.