

1 **SHB 1338** - H AMD TO H AMD 194 000201 WITHDRAWN 3-16-93

2 By Representative Fuhrman

3 On page 1, line 30, after "located" insert "; and

4 (e) Any person lawfully exercising his or her right of free
5 speech and assembly on the facility or the common area of the real
6 property upon which the facility is located"

7 On page 2, after line 30, insert the following:

8 "NEW SECTION. Sec. 5. (1) It is unlawful for a person, alone
9 or in concert with others, to willfully or recklessly interfere
10 with a person:

11 (a) Who is not in violation of section 3 or 4 of this act; and

12 (b) Who is otherwise lawfully exercising his or her right of
13 free speech and assembly on the facility or the common area of the
14 real property upon which the facility is located.

15 (2) Interference includes the following:

16 (a) Assaulting the person in violation of chapter 9A.36 RCW;

17 (b) Harassing the person in violation of chapter 9A.46 RCW;
18 and

19 (c) Creating a public disturbance in violation of chapter
20 9A.84 RCW.

21 (3) A violation of this section is a gross misdemeanor
22 punishable as follows:

23 (a) For a first offense, a fine of not less than two hundred
24 fifty dollars and a jail term of not less than twenty-four
25 consecutive hours;

26 (b) For a second offense, a fine of not less than five hundred
27 dollars and a jail term of not less than seven consecutive days;
28 and

29 (c) For a third or subsequent offense, a fine of not less than
30 one thousand dollars and a jail term of not less than thirty
31 consecutive days."

1 On page 3, line 1, after "through ((+8))" strike "(9)" and
2 insert "(10)"
3 On page 5, line 1, after "section" strike "3 or 4" and insert
4 "3, 4, or 5"
5 On page 5, line 10, after "section" strike "3 or 4" and insert
6 "3, 4, or 5"
7 On page 5, line 18, after "section" strike "3 or 4" and insert
8 "3, 4, or 5"
9 On page 6, line 3, after "section" strike "3 or 4" and insert
10 "3, 4, or 5"
11 On page 6, line 6, after "section" strike "3 or 4" and insert
12 "3, 4, or 5"

13 Renumber the remaining sections consecutively and correct
14 internal references accordingly.

EFFECT: This amendment provides penalties for individuals who unlawfully interfere with persons who are not in violation of section 3 or 4 of this act and who are otherwise lawfully exercising their free speech and assembly rights at the health care facility or the common areas of the real property where the facility is located.

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