

FINAL BILL REPORT

HB 1117

C 314 L 95

Synopsis as Enacted

Brief Description: Providing a deterrence for crimes committed at county or local penal institutions.

Sponsors: Representatives Lambert, Costa, Blanton, Silver, Ballasiotes, Backlund, Robertson, Boldt, Buck, Thompson, Hargrove and Huff.

House Committee on Law & Justice

Senate Committee on Human Services & Corrections

Background: A number of felony offenses apply only to persons who are incarcerated in state penal institutions. These crimes do not apply outside of a state prison, although similar crimes may.

For instance, generally, a person is guilty of the crime of "riot" if, acting with three or more other persons, he or she knowingly and unlawfully uses or threatens to use force, or in any way participates in the use of such force, against any other person or against property. If the actor is armed with a deadly weapon, the crime of riot is a class C felony. In all other cases under this law, the crime of riot is a gross misdemeanor. However, inmates in a state prison are guilty of the crime of "prison riot" if two or more of them use force or the threat of force to disturb the good order of the institution contrary to the commands of prison personnel. The crime of prison riot is a class B felony.

Other crimes that apply exclusively to inmates in state penal institutions include holding a hostage, preventing an officer from performing duties, and possessing any weapon. All of these crimes are class B felonies. Simple possession of a controlled substance by an inmate in a state prison is a class C felony.

Summary: Felony crimes that apply to inmates in state prisons are extended to apply to inmates in local jails. These crimes include prison riot, holding a hostage, preventing an officer from performing duties, possessing any weapon, and possessing any controlled substance.

Votes on Final Passage:

House	96	0	
Senate	45	0	(Senate amended)
House			(House refused to concur)
Senate			(Senate receded)
Senate	46	0	(Senate amended)
House	94	3	(House concurred)

Effective: July 23, 1995