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SENATE BILL 6115

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State of Washington                      54th Legislature                      1996 Regular Session

By Senators Wojahn, Snyder, Haugen, Goings, Winsley, Bauer and Oke

Read first time 01/08/96. Referred to Committee on Law & Justice.

1            AN ACT Relating to malicious mischief; amending RCW 9A.48.090 and  
2 4.24.190; and prescribing penalties.

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

4            **Sec. 1.** RCW 9A.48.090 and 1975 1st ex.s. c 260 s 9A.48.090 are  
5 each amended to read as follows:

6            (1) A person is guilty of malicious mischief in the third degree if  
7 he or she:

8            (a) Knowingly and maliciously causes physical damage to the  
9 property of another, under circumstances not amounting to malicious  
10 mischief in the first or second degree; or

11            (b) Writes, paints, or draws any inscription, figure, or mark of  
12 any type on any public or private building or other structure or any  
13 real or personal property owned by any other person unless the person  
14 has obtained the express permission of the owner or operator of the  
15 property, under circumstances not amounting to malicious mischief in  
16 the first or second degree.

17            (2)(a) Malicious mischief in the third degree under subsection  
18 (1)(a) of this section is a gross misdemeanor if the damage to the

1 property is in an amount exceeding fifty dollars; otherwise, it is a  
2 misdemeanor.

3 (b) Malicious mischief in the third degree under subsection (1)(b)  
4 of this section is a gross misdemeanor.

5 **Sec. 2.** RCW 4.24.190 and 1992 c 205 s 116 are each amended to read  
6 as follows:

7 The parent or parents of any minor child under the age of eighteen  
8 years who is living with the parent or parents and who shall willfully  
9 or maliciously destroy or deface property, real or personal or mixed,  
10 or who shall willfully and maliciously inflict personal injury on  
11 another person, shall be liable to the owner of such property or to the  
12 person injured in a civil action at law for damages in an amount not to  
13 exceed five thousand dollars. This section shall in no way limit the  
14 amount of recovery against the parent or parents for their own common  
15 law negligence.

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