
SENATE BILL 5444

State of Washington 55th Legislature 1997 Regular Session

By Senators Roach, Long, Fairley, Kohl, Zarelli, Kline and Goings

Read first time 01/27/97. Referred to Committee on Law & Justice.

1 AN ACT Relating to lesser included offenses; and amending RCW
2 10.61.006.

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

4 **Sec. 1.** RCW 10.61.006 and 1891 c 28 s 76 are each amended to read
5 as follows:

6 In all other cases the defendant may be found guilty of an offense
7 the commission of which is necessarily included within that with which
8 he is charged in the indictment or information.

9 If the defendant is charged with a crime, the definition of which
10 provides for two or more alternatives for committing that offense, the
11 trier of fact may consider whether the defendant committed a lesser
12 included offense if all of the elements of that lesser included offense
13 are contained in at least one of the alternatives of the crime charged
14 in the information or indictment.

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