
SENATE BILL 6516

State of Washington

55th Legislature

1998 Regular Session

By Senators Roach, Goings, Hochstatter, Benton, Rossi, Patterson, Oke, Schow, Johnson, McDonald, Stevens, Strannigan, Fraser, Sellar, Prentice, Bauer and Rasmussen

Read first time 01/20/98. Referred to Committee on Law & Justice.

1 AN ACT Relating to first degree murder; adding a new section to
2 chapter 9.94A RCW; prescribing penalties; and providing an effective
3 date.

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

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 9.94A RCW
6 to read as follows:

7 Notwithstanding RCW 9.94A.310, any person convicted of the crime of
8 murder in the first degree may be sentenced to life imprisonment. If
9 the defendant's guilt was determined by a jury verdict, the same jury
10 shall then immediately determine whether the sentence of life
11 imprisonment shall be imposed with or without the possibility or parole
12 or release. A jury may be waived in the discretion of the court and
13 with the consent of the defendant and the prosecuting attorney, in
14 which event the trial court shall make the sentencing determination.
15 If the defendant's guilt was determined by a plea of guilty or by
16 decision of the trial court without a jury, the trial court shall make
17 the sentencing determination.

1 If a sentence of less than life without the possibility of parole
2 or release is imposed, the sentencing entity shall determine the
3 minimum term of total confinement in accordance with RCW 9.94A.120(4).

4 NEW SECTION. **Sec. 2.** This act takes effect July 1, 1998.

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