
SUBSTITUTE SENATE BILL 6222

State of Washington

59th Legislature

2006 Regular Session

By Senate Committee on Judiciary (originally sponsored by Senators Rockefeller, Rasmussen and McAuliffe)

READ FIRST TIME 02/03/06.

1 AN ACT Relating to assault of a teacher or school district
2 employee; amending RCW 9A.36.031; and prescribing penalties.

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

4 **Sec. 1.** RCW 9A.36.031 and 2005 c 458 s 1 are each amended to read
5 as follows:

6 (1) A person is guilty of assault in the third degree if he or she,
7 under circumstances not amounting to assault in the first or second
8 degree:

9 (a) With intent to prevent or resist the execution of any lawful
10 process or mandate of any court officer or the lawful apprehension or
11 detention of himself or another person, assaults another; or

12 (b) Assaults a person employed as a transit operator or driver, the
13 immediate supervisor of a transit operator or driver, a mechanic, or a
14 security officer, by a public or private transit company or a
15 contracted transit service provider, while that person is performing
16 his or her official duties at the time of the assault; or

17 (c) Assaults a school bus driver, the immediate supervisor of a
18 driver, a mechanic, or a security officer, employed by a school

1 district transportation service or a private company under contract for
2 transportation services with a school district, while the person is
3 performing his or her official duties at the time of the assault; or

4 (d) With criminal negligence, causes bodily harm to another person
5 by means of a weapon or other instrument or thing likely to produce
6 bodily harm; or

7 (e) Assaults a fire fighter or other employee of a fire department,
8 county fire marshal's office, county fire prevention bureau, or fire
9 protection district who was performing his or her official duties at
10 the time of the assault; or

11 (f) With criminal negligence, causes bodily harm accompanied by
12 substantial pain that extends for a period sufficient to cause
13 considerable suffering; or

14 (g) Assaults a law enforcement officer or other employee of a law
15 enforcement agency who was performing his or her official duties at the
16 time of the assault; or

17 (h) Assaults a peace officer with a projectile stun gun; or

18 (i) Assaults a nurse, physician, or health care provider who was
19 performing his or her nursing or health care duties at the time of the
20 assault. For purposes of this subsection: "Nurse" means a person
21 licensed under chapter 18.79 RCW; "physician" means a person licensed
22 under chapter 18.57 or 18.71 RCW; and "health care provider" means a
23 person certified under chapter 18.71 or 18.73 RCW who performs
24 emergency medical services or a person regulated under Title 18 RCW and
25 employed by, or contracting with, a hospital licensed under chapter
26 70.41 RCW; or

27 (j) With intent to cause bodily harm, assaults a teacher or other
28 employee of a school district, on school premises or in an area or
29 facility being used by the school.

30 (2) Assault in the third degree is a class C felony.

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