
ENGROSSED SUBSTITUTE HOUSE BILL 1234

State of Washington

61st Legislature

2009 Regular Session

By House Public Safety & Emergency Preparedness (originally sponsored by Representatives Morrell, O'Brien, Appleton, Kelley, Ericks, Lias, Pedersen, Williams, Kenney, and Moeller)

READ FIRST TIME 02/19/09.

1 AN ACT Relating to creating the new crime of abandonment of a
2 dependent person in the fourth degree; adding a new section to chapter
3 9A.42 RCW; and prescribing penalties.

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

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 9A.42 RCW
6 to read as follows:

7 (1) Except as provided in subsection (2) of this section, a person
8 is guilty of the crime of abandonment of a dependent person in the
9 fourth degree if:

10 (a) The person is the parent of a child, a person entrusted with
11 the physical custody of a child or other dependent person, a person who
12 has assumed the responsibility to provide to a dependent person the
13 basic necessities of life, or a person employed to provide to the child
14 or other dependent person any of the basic necessities of life; and

15 (b) The person with criminal negligence, abandons the child or
16 other dependent person; and

17 (c) As a result of being abandoned, the person either (i) creates
18 an imminent and substantial risk of bodily harm to the child or other

1 dependent person, or (ii) causes bodily harm or extreme emotional
2 distress manifested by more than transient physical symptoms.

3 (2) A parent of a newborn who transfers the newborn to a qualified
4 person at an appropriate location pursuant to RCW 13.34.360 is not
5 subject to criminal liability under this section.

6 (3) For purposes of this section, the term "child" means any person
7 under the age of eight.

8 (4) Abandonment of a dependent person in the fourth degree is a
9 misdemeanor.

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