
SENATE BILL 5058

State of Washington

63rd Legislature

2013 Regular Session

By Senators Carrell, Hewitt, Pearson, Roach, Delvin, Benton, Shin, and Kohl-Welles

Read first time 01/16/13. Referred to Committee on Law & Justice .

1 AN ACT Relating to assault of a corrections officer, law
2 enforcement officer, or other employee of a law enforcement agency;
3 amending RCW 9A.36.011 and 9A.36.021; and prescribing penalties.

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

5 **Sec. 1.** RCW 9A.36.011 and 1997 c 196 s 1 are each amended to read
6 as follows:

7 (1) A person is guilty of assault in the first degree if he or
8 she(~~(r)~~):

9 (a) With intent to inflict great bodily harm:

10 ~~((a))~~ (i) Assaults another with a firearm or any deadly weapon or
11 by any force or means likely to produce great bodily harm or death; or

12 ~~((b))~~ (ii) Administers, exposes, or transmits to or causes to be
13 taken by another, poison, the human immunodeficiency virus as defined
14 in chapter 70.24 RCW, or any other destructive or noxious substance; or

15 ~~((c))~~ (iii) Assaults another and inflicts great bodily harm; or

16 (b) Assaults a corrections officer, law enforcement officer, or
17 other employee of a law enforcement agency with a deadly weapon who was
18 performing his or her official duties at the time of the assault.

19 (2) Assault in the first degree is a class A felony.

1 **Sec. 2.** RCW 9A.36.021 and 2011 c 166 s 1 are each amended to read
2 as follows:

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

5 (a) Intentionally assaults another and thereby recklessly inflicts
6 substantial bodily harm; or

7 (b) Intentionally and unlawfully causes substantial bodily harm to
8 an unborn quick child by intentionally and unlawfully inflicting any
9 injury upon the mother of such child; or

10 (c) Assaults another with a deadly weapon; or

11 (d) With intent to inflict bodily harm, administers to or causes to
12 be taken by another, poison or any other destructive or noxious
13 substance; or

14 (e) With intent to commit a felony, assaults another; or

15 (f) Knowingly inflicts bodily harm which by design causes such pain
16 or agony as to be the equivalent of that produced by torture; or

17 (g) Assaults another by strangulation or suffocation; or

18 (h) With criminal negligence, causes bodily harm to a corrections
19 officer, law enforcement officer, or other employee of a law
20 enforcement agency who was performing his or her official duties at the
21 time of the assault.

22 (2)(a) Except as provided in (b) of this subsection, assault in the
23 second degree is a class B felony.

24 (b) Assault in the second degree with a finding of sexual
25 motivation under RCW 9.94A.835 or 13.40.135 is a class A felony.

--- END ---