

HB 1632 - H AMD 48

By Representative Goodman

ADOPTED 03/02/2015

1 On page 7, beginning on line 36, after "violence" strike "as
2 defined in RCW 9.94A.030"

3
4 On page 7, line 38, after "prior" insert "adult"

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6 On page 7, line 38, after "convictions" insert "within ten years"

7
8 On page 8, beginning on line 1, after "for" strike "assault in the
9 fourth degree where domestic violence as defined in RCW 9.94A.030 was
10 plead and proven after August 1, 2011" and insert "any of the
11 following offenses where domestic violence as defined in RCW 9.94A.030
12 was plead and proven after August 1, 2011:

- 13 (a) Assault in the fourth degree;
- 14 (b) Assault in the third degree;
- 15 (c) Assault in the second degree;
- 16 (d) Assault in the first degree; or
- 17 (e) An out-of-state comparable offense.

18 (4) For purposes of subsection (3) of this section, family or
19 household members means spouses, former spouses, persons who have a
20 child in common regardless of whether they have been married or have
21 lived together at any time, persons sixteen years of age or older who
22 are presently residing together or who have resided together in the
23 past and who have or have had a dating relationship, and persons
24 sixteen years of age or older with whom a person sixteen years of age
25 or older has or has had a dating relationship"

EFFECT: Changes the new crime of felony assault in the fourth degree in the following ways:

- Specifies that for offenses to count as priors toward a felony assault in the fourth degree, the prior offenses must be adult convictions that occurred within 10 years of the current offense.
- Expands the offenses that may count toward felony assault in the fourth degree to include the following where domestic violence was plead and proven: Assault in the third, second, and first degrees, and comparable out of state offenses.
- Limits the crime of felony assault in the fourth degree to assaults committed against intimate partners rather than the broader definition of family or household members in current law.
- Limits the prior offenses that count toward felony assault in the fourth degree to those that involve assaults against intimate partners rather than the broader definition of family or household members in current law.

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