

**SB 6298** - H AMD TO JUDI COMM AMD (H-5026.1/18) **1259**  
By Representative Rodne

**NOT ADOPTED 02/27/2018**

1 On page 1, beginning on line 30 of the striking amendment, after  
2 "harassment" strike all material through "section" on line 32 and  
3 insert ", committed on or after the effective date of this section,  
4 where a special allegation was proven under section 2 of this act that  
5 the offense was committed by one family or household member against  
6 another and the person used or threatened use of a firearm in the  
7 commission of the offense"

8  
9 On page 5, after line 2 of the striking amendment, insert the  
10 following:

11 "NEW SECTION. Sec. 2. A new section is added to chapter 9A.46  
12 RCW to read as follows:

13 In any prosecution for harassment under RCW 9A.46.020 that was  
14 committed on or after the effective date of this section, when there  
15 has been a special allegation pleaded and proven beyond a reasonable  
16 doubt that the offense was committed by one family or household member  
17 against another and the defendant used or threatened use of a firearm  
18 in the commission of the offense, the court shall make a finding of  
19 fact of the special allegation, or if a jury trial is had, the jury  
20 shall, if it finds the defendant guilty, also find a special verdict  
21 as to the special allegation."

22

**EFFECT:** Provides that a conviction for the crime of Harassment prohibits a person from possessing a firearm only if a special allegation is proven that the Harassment offense was committed by one family or household member against another and the person used or threatened use of a firearm in the commission of the offense. Creates a new provision allowing for a special allegation and finding, which must be proven beyond a reasonable doubt, that a

Harassment offense was committed by one family or household member against another and the defendant used or threatened use of a firearm in the commission of the offense.

--- END ---