

SHB 1002 - S COMM AMD

By Committee on Law & Justice

NOT CONSIDERED 12/23/2019

1 Strike everything after the enacting clause and insert the
2 following:

3 **"Sec. 1.** RCW 9A.44.060 and 2013 c 94 s 1 are each amended to
4 read as follows:

5 (1) A person is guilty of rape in the third degree when, under
6 circumstances not constituting rape in the first or second degrees,
7 such person engages in sexual intercourse with another person:

8 (a) Where the victim did not consent (~~as defined in RCW~~
9 ~~9A.44.010(7),~~) to sexual intercourse with the perpetrator (~~and such~~
10 ~~lack of consent was clearly expressed by the victim's words or~~
11 ~~conduct,~~)~~;~~ or

12 (b) Where there is threat of substantial unlawful harm to
13 property rights of the victim.

14 (2) Rape in the third degree is a class C felony."

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15 On page 1, line 2 of the title, after "degree;" strike the
16 remainder of the title and insert "amending RCW 9A.44.060; and
17 prescribing penalties."

EFFECT: Removes the definition of "consent" as the definition
already resides in RCW 9A.44.010.

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