

FINAL BILL REPORT

SHB 2473

C 29 L 20
Synopsis as Enacted

Brief Description: Concerning domestic violence.

Sponsors: House Committee on Public Safety (originally sponsored by Representatives Goodman and Wylie).

House Committee on Public Safety
Senate Committee on Law & Justice

Background:

Definitions Pertaining to Domestic Violence.

Prior to 2019 "domestic violence" (DV) was generally defined as a crime or specified act committed by one "family or household member" against another, with certain types of relationships qualifying a person as a "family or household member." In 2019 legislation was enacted that modified the definition of DV by splitting it into two categories: those crimes or specified acts committed by a "family or household member" against another; and those committed by an "intimate partner" against another. Together, the terms include the same types of qualifying relationships that were covered under the term "family or household member" prior to 2019. Splitting the qualifying relationships into two categories was completed for the express purpose of facilitating discrete data analysis and research by judicial, criminal justice, and advocacy entities.

The 2019 legislation did not amend all references to "family or household member." This includes, for example, references pertaining to civil and collaborative law, court procedures, firearm-related offenses, and warrantless arrest requirements.

Felony Assault in the Fourth Degree with Domestic Violence.

Assault in the fourth degree is typically a gross misdemeanor. However, the offense is elevated to a class C felony if it involved DV and the person has two or more prior adult convictions within 10 years for any of the following crimes involving DV:

- Assault in the first, second, or third degree;
- repetitive DV offense;
- a specified crime involving harassment; or

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- an out-of-state comparable offense.

Felony Assault in the fourth degree involving DV is limited to circumstances when the offense is committed by certain intimate partners against another, including a spouse, former spouse, domestic partner, former domestic partner, current or former dating partner, or against a person with whom the defendant has a child in common.

Summary:

Definitions Pertaining to Domestic Violence.

Several references to "family or household member" are modified to also include references to "intimate partner."

Assault in the Fourth Degree with Domestic Violence.

A prior municipal, tribal, or federal offense comparable to Assault in the first, second, or third degree, repetitive DV, or a crime of Harassment constitutes a qualifying prior offense for elevating a present Assault in the fourth degree involving DV to a class C felony. The offense also is modified to account for the new definition of "intimate partner."

Votes on Final Passage:

House	96	0
Senate	48	1

Effective: March 18, 2020