

FINAL BILL REPORT

SSB 5050

C 15 L 96

Synopsis as Enacted

Brief Description: Revising the elements of the crime of burglary in the first degree.

Sponsors: Senate Committee on Law & Justice (originally sponsored by Senators Morton, Smith, Rasmussen and Schow).

Senate Committee on Law & Justice

House Committee on Law & Justice

Background: The crime of first degree burglary is committed if a person enters a building with intent to commit a crime and, while in the building or in immediate flight therefrom, the person is armed with a deadly weapon or assaults any person therein. A 1993 appellate court case held that the phrase "assaults any person therein" referred only to assaults occurring inside the building, not an assault that occurred outside the building as the burglar was leaving. It has been suggested that the crime of burglary first degree should include instances where a burglar assaults the victim while fleeing the building.

Summary: First degree burglary is committed if a person enters a building with intent to commit a crime and, while in the building or in immediate flight therefrom, assaults any person.

Votes on Final Passage:

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| Senate | 47 | 0 |
| House | 95 | 0 |

Effective: June 6, 1996