
SENATE BILL 5650

State of Washington

54th Legislature

1995 Regular Session

By Senators Oke, Owen, Roach, Hargrove, Deccio, Swecker, Wood, Hale, Schow, Hochstatter, Palmer, Winsley, Morton, Sellar, Cantu and McDonald

Read first time 01/30/95. Referred to Committee on Law & Justice.

1 AN ACT Relating to assault with the human immunodeficiency virus;
2 amending RCW 9A.36.011; reenacting and amending RCW 9A.36.021; and
3 prescribing penalties.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 **Sec. 1.** RCW 9A.36.011 and 1986 c 257 s 4 are each amended to read
6 as follows:

7 (1) A person is guilty of assault in the first degree if he or she,
8 with intent to inflict great bodily harm:

9 (a) Assaults another with a firearm or any deadly weapon or by any
10 force or means likely to produce great bodily harm or death; or

11 (b) Administers to or causes to be taken by another, poison or any
12 other destructive or noxious substance; or

13 (c) Assaults another and inflicts great bodily harm.

14 (2) A person is guilty of assault in the first degree if he or she,
15 with intent to inflict bodily harm, administers to or causes to be
16 taken by another, the human immunodeficiency virus as defined in
17 chapter 70.24 RCW.

18 (3) Assault in the first degree is a class A felony.

1 **Sec. 2.** RCW 9A.36.021 and 1988 c 266 s 2, 1988 c 206 s 916, and
2 1988 c 158 s 2 are each reenacted and amended to read as follows:

3 (1) A person is guilty of assault in the second degree if he or
4 she, under circumstances not amounting to assault in the first degree:

5 (a) Intentionally assaults another and thereby recklessly inflicts
6 substantial bodily harm; or

7 (b) Intentionally and unlawfully causes substantial bodily harm to
8 an unborn quick child by intentionally and unlawfully inflicting any
9 injury upon the mother of such child; or

10 (c) Assaults another with a deadly weapon; or

11 (d) With intent to inflict bodily harm, administers to or causes to
12 be taken by another, poison(~~(, the human immunodeficiency virus as~~
13 ~~defined in chapter 70.24 RCW,)) or any other destructive or noxious
14 substance; or~~

15 (e) With intent to inflict bodily harm, exposes or transmits human
16 immunodeficiency virus as defined in chapter 70.24 RCW; or

17 (f) With intent to commit a felony, assaults another; or

18 (g) Knowingly inflicts bodily harm which by design causes such pain
19 or agony as to be the equivalent of that produced by torture.

20 (2) Assault in the second degree is a class B felony.

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