

2 HB 1442 - S COMM AMD
3 By Committee on Judiciary

4 ADOPTED 4/8/99

5 Strike everything after the enacting clause and insert the
6 following:

7 "Sec. 1. RCW 9A.36.031 and 1998 c 94 s 1 are each amended to read
8 as follows:

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

12 (a) With intent to prevent or resist the execution of any lawful
13 process or mandate of any court officer or the lawful apprehension or
14 detention of himself or another person, assaults another; or

15 (b) Assaults a person employed as a transit operator or driver, the
16 immediate supervisor of a transit operator or driver, a mechanic, or a
17 security officer, by a public or private transit company or a
18 contracted transit service provider, while that person is performing
19 his or her official duties at the time of the assault; or

20 (c) Assaults a school bus driver, the immediate supervisor of a
21 driver, a mechanic, or a security officer, employed by a school
22 district transportation service or a private company under contract for
23 transportation services with a school district, while the ((~~driver~~))
24 person is performing his or her official duties at the time of the
25 assault; or

26 (d) With criminal negligence, causes bodily harm to another person
27 by means of a weapon or other instrument or thing likely to produce
28 bodily harm; or

29 (e) Assaults a fire fighter or other employee of a fire department,
30 county fire marshal's office, county fire prevention bureau, or fire
31 protection district who was performing his or her official duties at
32 the time of the assault; or

33 (f) With criminal negligence, causes bodily harm accompanied by
34 substantial pain that extends for a period sufficient to cause
35 considerable suffering; or

1 (g) Assaults a law enforcement officer or other employee of a law
2 enforcement agency who was performing his or her official duties at the
3 time of the assault; or

4 (h) Assaults a nurse, physician, or health care provider who was
5 performing his or her nursing or health care duties at the time of the
6 assault. For purposes of this subsection: "Nurse" means a person
7 licensed under chapter 18.79 RCW; "physician" means a person licensed
8 under chapter 18.57 or 18.71 RCW; and "health care provider" means a
9 person certified under chapter 18.71 or 18.73 RCW who performs
10 emergency medical services or a person regulated under Title 18 RCW and
11 employed by, or contracting with, a hospital licensed under chapter
12 70.41 RCW.

13 (2) Assault in the third degree is a class C felony."

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17 On page 1, line 1 of the title, after "customers;" strike the
18 remainder of the title and insert "amending RCW 9A.36.031; and
19 prescribing penalties."

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