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ENGROSSED HOUSE BILL 1067

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State of Washington                      56th Legislature                      1999 Regular Session

By Representatives O'Brien and Ballasiotes

Read first time 01/14/1999. Referred to Committee on Judiciary.

1            AN ACT Relating to statutory double jeopardy; and amending RCW  
2 10.43.040.

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

4            **Sec. 1.** RCW 10.43.040 and 1909 c 249 s 19 are each amended to read  
5 as follows:

6            Whenever, upon the trial of any person for a crime, it appears that  
7 the offense was committed in another state or country, under such  
8 circumstances that the courts of this state had jurisdiction thereof,  
9 and that the defendant has already been acquitted or convicted upon the  
10 merits, (~~upon a criminal prosecution~~) in a judicial proceeding  
11 conducted under the criminal laws of such state or country, founded  
12 upon the act or omission with respect to which he is upon trial, such  
13 former acquittal or conviction is a sufficient defense. Nothing in  
14 this section affects or prevents a prosecution in a court of this state  
15 of any person who has received administrative or nonjudicial  
16 punishment, civilian or military, in another state or country based  
17 upon the same act or omission.

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