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**SUBSTITUTE SENATE BILL 6010**

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**State of Washington**

**62nd Legislature**

**2012 Regular Session**

**By** Senate Human Services & Corrections (originally sponsored by Senators Carrell, Roach, Becker, Conway, Schoesler, Regala, Delvin, Stevens, and Shin)

READ FIRST TIME 02/03/12.

1           AN ACT Relating to worker safety at state hospitals; amending RCW  
2    9A.36.100; and adding a new section to chapter 70.48 RCW.

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

4           **Sec. 1.** RCW 9A.36.100 and 1988 c 151 s 1 are each amended to read  
5    as follows:

6           (1) A person is guilty of custodial assault if that person is not  
7    guilty of an assault in the first or second degree and where the  
8    person:

9           (a) Assaults a full or part-time staff member or volunteer, any  
10   educational personnel, any personal service provider, or any vendor or  
11   agent thereof at any juvenile corrections institution or local juvenile  
12   detention facilities who was performing official duties at the time of  
13   the assault;

14          (b) Assaults a full or part-time staff member or volunteer, any  
15   educational personnel, any personal service provider, or any vendor or  
16   agent thereof at any adult corrections institution or local adult  
17   detention facilities who was performing official duties at the time of  
18   the assault;

1 (c)((+i)) Assaults a full or part-time community corrections  
2 officer, other full or part-time community corrections office employee,  
3 or volunteer while the officer, employee, or volunteer is performing  
4 official duties; or

5 ~~((ii) Assaults any other full or part-time employee who is~~  
6 ~~employed in a community corrections office while the employee is~~  
7 ~~performing official duties; or))~~

8 (d) Assaults ~~((any volunteer who was assisting a person described~~  
9 ~~in (c) of this subsection))~~ a full or part-time staff member or  
10 volunteer, any educational personnel, any personal service provider, or  
11 any vendor or agent thereof at any state hospital under RCW 72.23.010  
12 who was performing official duties at the time of the assault.

13 (2) Custodial assault is a class C felony.

14 NEW SECTION. Sec. 2. A new section is added to chapter 70.48 RCW  
15 to read as follows:

16 A jail may not refuse to book a patient of a state hospital solely  
17 based on the patient's status as a state hospital patient, but may  
18 consider other relevant factors that apply to the individual  
19 circumstances in each case.

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