

CERTIFICATION OF ENROLLMENT

HOUSE BILL 2791

Chapter 266, Laws of 1996

54th Legislature
1996 Regular Session

ASSAULT IN THE THIRD DEGREE--CLARIFICATION TO
INCLUDE COUNTY FIRE MARSHAL'S OFFICE

EFFECTIVE DATE: 6/6/96

Passed by the House February 7, 1996
Yeas 95 Nays 1

CLYDE BALLARD

**Speaker of the
House of Representatives**

Passed by the Senate March 1, 1996
Yeas 46 Nays 1

JOEL PRITCHARD

President of the Senate

Approved March 29, 1996

CERTIFICATE

I, Timothy A. Martin, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **HOUSE BILL 2791** as passed by the House of Representatives and the Senate on the dates hereon set forth.

TIMOTHY A. MARTIN

Chief Clerk

FILED

March 29, 1996 - 4:49 p.m.

MIKE LOWRY

Governor of the State of Washington

**Secretary of State
State of Washington**

HOUSE BILL 2791

Passed Legislature - 1996 Regular Session

State of Washington 54th Legislature 1996 Regular Session

By Representatives Lambert, Costa, Sterk, Campbell and Smith

Read first time 01/19/96. Referred to Committee on Law & Justice.

1 AN ACT Relating to clarifying assault in the third degree to
2 include county fire marshal's office; amending RCW 9A.36.031; and
3 prescribing penalties.

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

5 **Sec. 1.** RCW 9A.36.031 and 1990 c 236 s 1 are each amended to read
6 as follows:

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

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

13 (b) Assaults a person employed as a transit operator or driver by
14 a public or private transit company while that person is operating or
15 is in control of a vehicle that is owned or operated by the transit
16 company and that is occupied by one or more passengers; or

17 (c) Assaults a school bus driver employed by a school district or
18 a private company under contract for transportation services with a

1 school district while the driver is operating or is in control of a
2 school bus that is occupied by one or more passengers; or

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

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

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

13 (g) Assaults a law enforcement officer or other employee of a law
14 enforcement agency who was performing his or her official duties at the
15 time of the assault.

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

Passed the House February 7, 1996.

Passed the Senate March 1, 1996.

Approved by the Governor March 29, 1996.

Filed in Office of Secretary of State March 29, 1996.