

SSB 5848 - S AMD 304

By Senator Short

NOT CONSIDERED 12/23/2019

1 Beginning on page 11, line 6, after "(5)" strike all material
2 through "~~(6))~~" on page 12, line 5 and insert "If the offender's
3 underlying offense is one of the following felonies and the violation
4 behavior constitutes a new misdemeanor, gross misdemeanor or felony,
5 the offender shall be held in total confinement pending a sanction
6 hearing, and until the sanction expires or until if a prosecuting
7 attorney files new charges against the offender, whichever occurs
8 first:

9 (a) Assault in the first degree, as defined in RCW 9A.36.011;

10 (b) Assault of a child in the first degree, as defined in RCW
11 9A.36.120;

12 (c) Assault of a child in the second degree, as defined in RCW
13 9A.36.130;

14 (d) Burglary in the first degree, as defined in RCW 9A.52.020;

15 (e) Child molestation in the first degree, as defined in RCW
16 9A.44.083;

17 (f) Commercial sexual abuse of a minor, as defined in RCW
18 9.68A.100;

19 (g) Dealing in depictions of a minor engaged in sexually explicit
20 conduct, as defined in RCW 9.68A.050;

21 (h) Homicide by abuse, as defined in RCW 9A.32.055;

22 (i) Indecent liberties with forcible compulsion, as defined in
23 RCW 9A.44.100(1)(a);

24 (j) Indecent liberties with a person capable of consent, as
25 defined in RCW 9A.44.100(1)(b);

26 (k) Kidnapping in the first degree, as defined in RCW 9A.40.020;

27 (l) Murder in the first degree, as defined in RCW 9A.32.030;

28 (m) Murder in the second degree, as defined in RCW 9A.32.050;

29 (n) Promoting commercial sexual abuse of a minor, as defined in
30 RCW 9.68A.101;

31 (o) Rape in the first degree, as defined in RCW 9A.44.040;

32 (p) Rape in the second degree, as defined in RCW 9A.44.050;

1 (q) Rape of a child in the first degree, as defined in RCW
2 9A.44.073;
3 (r) Rape of a child in the second degree, as defined in RCW
4 9A.44.076;
5 (s) Robbery in the first degree, as defined in RCW 9A.56.200;
6 (t) Sexual exploitation of a minor, as defined in RCW 9.68A.040;
7 or
8 (u) Vehicular homicide while under the influence of intoxicating
9 liquor or any drug, as defined in RCW 46.61.520(1)(a).
10 (6) "

11 Renumber the remaining subsections consecutively and correct any
12 internal references accordingly.

EFFECT: Restores requirement for thirty days of sanction time or until a prosecuting attorney files new charges, whichever comes first, for underlying twenty-one felony designation case offenders when the violation behavior constitutes a new misdemeanor, gross misdemeanor, or felony.

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