
SUBSTITUTE HOUSE BILL 1002

State of Washington

66th Legislature

2019 Regular Session

By House Public Safety (originally sponsored by Representatives Orwall, Mosbrucker, Goodman, Griffey, Lovick, Pellicciotti, Kraft, Valdez, Irwin, Jinkins, Macri, Wylie, Bergquist, Doglio, Ortiz-Self, and Frame)

READ FIRST TIME 01/25/19.

1 AN ACT Relating to modifying the offense of rape in the third
2 degree; amending RCW 9A.44.060; and prescribing penalties.

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

4 **Sec. 1.** RCW 9A.44.060 and 2013 c 94 s 1 are each amended to read
5 as follows:

6 (1) A person is guilty of rape in the third degree when, under
7 circumstances not constituting rape in the first or second degrees,
8 such person engages in sexual intercourse with another person:

9 (a) Where the victim did not consent (~~as defined in RCW~~
10 ~~9A.44.010(7),~~) to sexual intercourse with the perpetrator (~~and such~~
11 ~~lack of consent was clearly expressed by the victim's words or~~
12 ~~conduct,~~); or

13 (b) Where there is threat of substantial unlawful harm to
14 property rights of the victim.

15 (2) Rape in the third degree is a class C felony.

16 (3) For the purposes of this section, "consent" means that at the
17 time of the act of sexual intercourse or sexual contact there are
18 actual words or conduct indicating freely given agreement to have
19 sexual intercourse or sexual contact.

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