- 2 **HB 1117** S COMM AMD 414
- 3 By Senator Hargrove
- 4 ADOPTED 4/20/95
- 5 Strike everything after the enacting clause and insert the 6 following:
- 7 "Sec. 1. RCW 9.94.010 and 1955 c 241 s 1 are each amended to read 8 as follows:
- 9 Whenever two or more inmates of a ((state penal)) correctional
- 10 institution assemble for any purpose, and act in such a manner as to
- 11 disturb the good order of ((such)) the institution and contrary to the
- 12 commands of the officers of ((such)) the institution, by the use of
- 13 force or violence, or the threat thereof, and whether acting in concert
- 14 or not, they shall be guilty of prison riot.
- 15 **Sec. 2.** RCW 9.94.020 and 1992 c 7 s 19 are each amended to read as
- 16 follows:
- 17 Every inmate of a ((state)) correctional ((facility)) institution
- 18 who is guilty of prison riot or of voluntarily participating therein by
- 19 being present at, or by instigating, aiding or abetting the same, shall
- 20 be punished by imprisonment in a state correctional ((facility))
- 21 institution for not less than one year nor more than ten years, which
- 22 shall be in addition to the sentence being served.
- 23 Sec. 3. RCW 9.94.030 and 1992 c 7 s 20 are each amended to read as
- 24 follows:
- 25 Whenever any inmate of a ((state)) correctional ((facility))
- 26 institution shall hold, or participate in holding, any person as a
- 27 hostage, by force or violence, or the threat thereof, or shall prevent,
- 28 or participate in preventing an officer of such institution from
- 29 carrying out his or her duties, by force or violence, or the threat
- 30 thereof, he or she shall be guilty of a felony and upon conviction
- 31 shall be punished by imprisonment in a state correctional ((facility))
- 32 <u>institution</u> for not less than one year nor more than ten years.

- 1 **Sec. 4.** RCW 9.94.040 and 1979 c 121 s 1 are each amended to read 2 as follows:
- 3 (1) Every person serving a sentence in any ((penal)) state 4 correctional institution ((of this state)) who, without <u>legal</u> authorization ((<del>pursuant to law</del>)), while in ((<del>such penal</del>)) 5 <u>the</u> institution or while being conveyed to or from ((such penal)) the 6 7 institution((, or while at any penal institution farm or forestry camp 8 of such institution, or while being conveyed to or from any such 9 place)), or while under the custody or supervision of institution 10 officials, officers, or employees, or while on any premises subject to the control of the institution, knowingly possesses or carries upon his 11 or her person or has under his or her control any weapon, firearm, or 12 13 any instrument which, if used, could produce serious bodily injury to
- 15 (2) Every person confined in a county or local correctional institution who, without legal authorization, while in the institution 16 or while being conveyed to or from the institution, or while under the 17 18 custody or supervision of institution officials, officers, or 19 employees, or while on any premises subject to the control of the institution, knowingly possesses or has under his or her control a 20 deadly weapon, as defined in RCW 9A.04.110, is guilty of a class B 21 22 felony.

the person of another, is guilty of a class B felony.

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- 23 (3) The sentence imposed under this section shall be in addition to 24 any sentence being served.
- 25 **Sec. 5.** RCW 9.94.041 and 1979 c 121 s 2 are each amended to read 26 as follows:
- 27 (1) Every person serving a sentence in any ((penal)) state correctional institution ((of this state)) who, without 28 29 authorization, while in ((such penal)) the institution or while being 30 conveyed to or from ((such penal)) the institution, ((or while at any penal institution farm or forestry camp of such institution, or while 31 being conveyed to or from any such place, )) or while under the custody 32 33 or supervision of institution officials, officers, or employees, or 34 while on any premises subject to the control of the institution, knowingly possesses or carries upon his or her person or has under his 35 36 or her control any narcotic drug or controlled substance as defined in 37 chapter 69.50 RCW is guilty of a class C felony.

- 1 (2) Every person confined in a county or local correctional
  2 institution who, without legal authorization, while in the institution
  3 or while being conveyed to or from the institution, or while under the
  4 custody or supervision of institution officials, officers, or
  5 employees, or while on any premises subject to the control of the
  6 institution, knowingly possesses or has under his or her control any
  7 narcotic drug or controlled substance, as defined in chapter 69.50 RCW,
- 8 is quilty of a class C felony.
- 9 (3) The sentence imposed under this section shall be in addition to any sentence being served.
- 11 **Sec. 6.** RCW 9.94.049 and 1992 c 7 s 21 are each amended to read as 12 follows:
- (1) For the purposes of this chapter, the term "correctional institution" means any place designated by law for the keeping of persons held in custody under process of law, or under lawful arrest, including state prisons, county and local jails, and other facilities operated by the department of corrections or local governmental units primarily for the purposes of punishment, correction, or rehabilitation following conviction of a criminal offense.
- 20 (2) For the purposes of RCW 9.94.043 and 9.94.045, "state correctional institution" means all state correctional facilities under the supervision of the secretary of the department of corrections used solely for the purpose of confinement of convicted felons."
- 24 <u>HB 1117</u> S COMM AMD
- 25 By Senator Hargrove

26 ADOPTED 4/20/95

- On page 1, line 1 of the title, after "institutions;" strike the remainder of the title and insert "and amending RCW 9.94.010, 9.94.020, 9.94.030, 9.94.040, 9.94.041, and 9.94.049."
  - --- END ---