

2 **E2SHB 2219** - S AMD TO WM COMM AMD (S5639.1)-235  
3 By Senator Long

4 ADOPTED 2/29/96

5 On page 22, after line 14 of the amendment, insert the following:

6 "NEW SECTION. **Sec. 8.** A new section is added to chapter 9A.44 RCW  
7 to read as follows:

8 (1) A person is guilty of rape of a child in the fourth degree when  
9 the person has sexual intercourse with another who is at least sixteen  
10 years old but less than eighteen years old and not married to the  
11 perpetrator and the perpetrator is at least ten years older than the  
12 victim.

13 (2) Rape of a child in the fourth degree is a gross misdemeanor.

14 NEW SECTION. **Sec. 9.** A new section is added to chapter 9A.44 RCW  
15 to read as follows:

16 (1) A person is guilty of child molestation in the fourth degree  
17 when the person has, or knowingly causes another person under the age  
18 of eighteen to have, sexual contact with another who is at least  
19 sixteen years old but less than eighteen years old and not married to  
20 the perpetrator and the perpetrator is at least ten years older than  
21 the victim.

22 (2) Child molestation in the fourth degree is a gross misdemeanor.

23 NEW SECTION. **Sec. 10.** A new section is added to chapter 9A.44 RCW  
24 to read as follows:

25 In a prosecution under sections 8 or 9 of this act, it is an  
26 affirmative defense that the defendant must prove by a preponderance of  
27 the evidence, that the defendant did not know that the minor was  
28 sixteen or seventeen years of age."

29 Renumber the sections consecutively and correct any internal  
30 references accordingly.

1 **E2SHB 2219** - S AMD TO WM COMM AMD (S5639.1)

2 By Senator Long

3 ADOPTED 2/29/96

4 On page 90, line 31 of the title amendment, after "13.40.020;"

5 insert "adding new sections to chapter 9A.44 RCW;"

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