

CERTIFICATION OF ENROLLMENT

HOUSE BILL 1309

Chapter 252, Laws of 1998

55th Legislature
1998 Regular Session

DISARMING A LAW ENFORCEMENT OR CORRECTIONS OFFICER

EFFECTIVE DATE: 6/11/98

Passed by the House March 9, 1998
Yeas 96 Nays 0

CLYDE BALLARD
**Speaker of the
House of Representatives**

Passed by the Senate March 4, 1998
Yeas 44 Nays 0

BRAD OWEN
President of the Senate

Approved April 1, 1998

GARY LOCKE
Governor of the State of Washington

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 1309** as passed by the House of Representatives and the Senate on the dates hereon set forth.

TIMOTHY A. MARTIN
Chief Clerk

FILED

April 1, 1998 - 2:55 p.m.

**Secretary of State
State of Washington**

HOUSE BILL 1309

AS AMENDED BY THE SENATE

Passed Legislature - 1998 Regular Session

State of Washington 55th Legislature 1997 Regular Session

By Representatives Mielke, Mulliken, Sterk, McMorris, Pennington, Bush, Doumit, McDonald, Boldt, Thompson, Costa and Dunn

Read first time 01/21/97. Referred to Committee on Law & Justice.

1 AN ACT Relating to disarming an officer; adding new sections to
2 chapter 9A.76 RCW; and prescribing penalties.

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

4 NEW SECTION. **Sec. 1.** (1) A person is guilty of disarming a law
5 enforcement officer if with intent to interfere with the performance of
6 the officer's duties the person knowingly removes a firearm or weapon
7 from the person of a law enforcement officer or corrections officer or
8 deprives a law enforcement officer or corrections officer of the use of
9 a firearm or weapon, when the officer is acting within the scope of the
10 officer's duties, does not consent to the removal, and the person has
11 reasonable cause to know or knows that the individual is a law
12 enforcement or corrections officer.

13 (2) Disarming a law enforcement or corrections officer is a class
14 C felony unless the firearm involved is discharged when the person
15 removes the firearm, in which case the offense is a class B felony.

16 NEW SECTION. **Sec. 2.** A person who commits another crime during
17 the commission of the crime of disarming a law enforcement or
18 corrections officer may be punished for the other crime as well as for

1 disarming a law enforcement officer and may be prosecuted separately
2 for each crime.

3 NEW SECTION. **Sec. 3.** Sections 1 and 2 of this act do not apply
4 when the law enforcement officer or corrections officer is engaged in
5 criminal conduct.

6 NEW SECTION. **Sec. 4.** Sections 1 through 3 of this act are added
7 to chapter 9A.76 RCW.

Passed the House March 9, 1998.

Passed the Senate March 4, 1998.

Approved by the Governor April 1, 1998.

Filed in Office of Secretary of State April 1, 1998.