S-1392.1

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**SUBSTITUTE SENATE BILL 5072**

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**State of Washington 64th Legislature 2015 Regular Session**

**By** Senate Law & Justice (originally sponsored by Senator Honeyford)

AN ACT Relating to the crime of failing to summon assistance; amending RCW 9A.36.160; repealing RCW 9A.36.161; and prescribing penalties.

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

**Sec.**  RCW 9A.36.160 and 2005 c 209 s 1 are each amended to read as follows:

(1) A person is guilty of the crime of failing to summon assistance if:

((~~(1)~~))(a) He or she was present at the time when:

(i) A crime was committed against another person; or

(ii) Another person was injured; and

((~~(2)~~))(b) He or she knows that the other person has suffered substantial bodily harm ((~~as a result of the crime committed against the other person~~)) and that the other person is in need of assistance; and

((~~(3)~~))(c) He or she could reasonably summon assistance for the person in need without danger to himself or herself and without interference with an important duty owed to a third party; and

((~~(4)~~))(d) He or she fails to summon assistance for the person in need; and

((~~(5)~~))(e) Another person is not summoning or has not summoned assistance for the person in need of such assistance.

(2) A violation of this section is a misdemeanor.

NEW SECTION. **Sec.**  RCW 9A.36.161 (Failing to summon assistance—Penalty) and 2005 c 209 s 2 are each repealed.

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