H-0243.1

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**HOUSE BILL 1002**

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**State of Washington 66th Legislature 2019 Regular Session**

**By** Representatives Orwall, Mosbrucker, Goodman, Griffey, Lovick, Pellicciotti, Kraft, Valdez, Irwin, Jinkins, Macri, Wylie, Bergquist, Doglio, Ortiz-Self, and Frame

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

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

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

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

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

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

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

**--- END ---**