**5937-S2 AMS DHIN S5013.1 - NOT FOR FLOOR USE**

**2SSB 5937** - S AMD **644**

By Senator Dhingra

**ADOPTED 02/12/2024**

On page 21, line 4, after "(b)" strike "When" and insert "After"

On page 21, beginning on line 5, after "with" strike all material through "it," on line 7 and insert "a legend drug, controlled substance, or controlled substance analog without the victim's knowledge and consent"

On page 21, line 7, after "consent" insert "to sexual intercourse"

On page 21, beginning on line 10, after "(3)" strike all material through "RCW 70.345.010." on line 11 and insert "For purposes of this section:

(a) "Legend drug" has the same meaning as "legend drugs" as defined in RCW 69.41.010.

(b) "Controlled substance" has the same meaning as defined in RCW 69.50.101.

(c) "Controlled substance analog" has the same meaning as defined in RCW 69.50.101."

EFFECT: Clarifies that a person is guilty of rape in the first degree if the person engages in sexual intercourse with another person after the perpetrator or an accessory knowingly furnishes the victim with a legend drug, controlled substance, or controlled substance analog without the victim's knowledge and consent which renders the victim incapable of consent to sexual intercourse due to physical helplessness or mental incapacitation.