
ENGROSSED SUBSTITUTE SENATE BILL 5010

State of Washington

68th Legislature

2023 Regular Session

By Senate Law & Justice (originally sponsored by Senators L. Wilson, Holy, J. Wilson, Braun, Schoesler, King, Short, Fortunato, Padden, Torres, Dozier, Gildon, Rolfes, Wagoner, and Warnick)

READ FIRST TIME 01/20/23.

1 AN ACT Relating to updating the endangerment with a controlled
2 substance statute to include fentanyl or synthetic opioids; and
3 amending RCW 9A.42.100.

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

5 **Sec. 1.** RCW 9A.42.100 and 2005 c 218 s 4 are each amended to
6 read as follows:

7 (1) A person is guilty of the crime of endangerment with a
8 controlled substance if the person knowingly or intentionally permits
9 a dependent child or dependent adult to be exposed to, ingest,
10 inhale, or have contact with ((methamphetamine)).

11 (a) Fentanyl or synthetic opioids, or the smoke of a substance
12 that the person knows, or reasonably should know, contains, or is
13 contaminated with, fentanyl or synthetic opioids, excepting
14 medications administered or provided during the delivery of health
15 care services or pursuant to a valid prescription; or

16 (b) Methamphetamine or ephedrine, pseudoephedrine, or anhydrous
17 ammonia, including their salts, isomers, and salts of isomers, that
18 are being used in the manufacture of methamphetamine, including its
19 salts, isomers, and salts of isomers.

20 (2) The department of children, youth, and families and any
21 employees, interns, volunteers, or contractors of the department

1 acting in the scope of their role are exempt from any criminal
2 liability within this section.

3 (3) Endangerment with a controlled substance is a class B felony.

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