
HOUSE BILL 1159

State of Washington

69th Legislature

2025 Regular Session

By Representatives Leavitt and Griffey

Prefiled 01/03/25.

1 AN ACT Relating to the crime of endangerment with a controlled
2 substance; amending RCW 9A.42.100; and reenacting and amending RCW
3 9A.42.010.

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

5 **Sec. 1.** RCW 9A.42.010 and 2020 c 18 s 7 are each reenacted and
6 amended to read as follows:

7 As used in this chapter:

8 (1) "Abandons" means leaving a child or other dependent person
9 without the means or ability to obtain one or more of the basic
10 necessities of life.

11 (2) "Basic necessities of life" means food, water, shelter,
12 clothing, and medically necessary health care, including but not
13 limited to health-related treatment or activities, hygiene, oxygen,
14 and medication.

15 (3)(a) "Bodily injury" means physical pain or injury, illness, or
16 an impairment of physical condition;

17 (b) "Substantial bodily harm" means bodily injury which involves
18 a temporary but substantial disfigurement, or which causes a
19 temporary but substantial loss or impairment of the function of any
20 bodily part or organ, or which causes a fracture of any bodily part;

1 (c) "Great bodily harm" means bodily injury which creates a high
2 probability of death, or which causes serious permanent
3 disfigurement, or which causes a permanent or protracted loss or
4 impairment of the function of any bodily part or organ.

5 (4) "Child" means a person under eighteen years of age.

6 (5) "Controlled substance" has the same meaning as in RCW
7 69.50.101.

8 (6) "Dependent person" means a person who, because of physical or
9 mental disability, or because of extreme advanced age, is dependent
10 upon another person to provide the basic necessities of life. A
11 resident of a nursing home, as defined in RCW 18.51.010, a resident
12 of an adult family home, as defined in RCW 70.128.010, and a frail
13 elder or vulnerable adult, as defined in RCW 74.34.020(~~((+22))~~) (21),
14 is presumed to be a dependent person for purposes of this chapter.

15 (~~((+6))~~) (7) "Employed" means hired by a dependent person, another
16 person acting on behalf of a dependent person, or by an organization
17 or governmental entity, to provide to a dependent person any of the
18 basic necessities of life. A person may be "employed" regardless of
19 whether the person is paid for the services or, if paid, regardless
20 of who pays for the person's services.

21 (~~((+7))~~) (8) "Good samaritan" means any individual or group of
22 individuals who: (a) Is not related to the dependent person; (b)
23 voluntarily provides assistance or services of any type to the
24 dependent person; (c) is not paid, given gifts, or made a beneficiary
25 of any assets valued at five hundred dollars or more, for any reason,
26 by the dependent person, the dependent person's family, or the
27 dependent person's estate; and (d) does not commit or attempt to
28 commit any other crime against the dependent person or the dependent
29 person's estate.

30 (~~((+8))~~) (9) "Parent" has its ordinary meaning and also includes a
31 guardian and the authorized agent of a parent or guardian.

32 **Sec. 2.** RCW 9A.42.100 and 2005 c 218 s 4 are each amended to
33 read as follows:

34 (1) A person is guilty of the crime of endangerment with a
35 controlled substance if the person knowingly or (~~(intentionally)~~)
36 recklessly permits a dependent child or dependent adult to (~~(be~~
37 ~~exposed to,~~) ingest, inhale, absorb, or have contact with
38 (~~(methamphetamine or ephedrine, pseudoephedrine, or anhydrous~~
39 ~~ammonia, including their salts, isomers, and salts of isomers, that~~

1 ~~are being used in the manufacture of methamphetamine, including its~~
2 ~~salts, isomers, and salts of isomers))~~ a controlled substance other
3 than cannabis.

4 (2) It is an affirmative defense to a violation of subsection (1)
5 of this section, which the defendant must prove by a preponderance of
6 the evidence, that the controlled substance was:

7 (a) Administered or provided in the course of delivering health
8 care services; or

9 (b) Obtained directly from, or pursuant to, a valid prescription
10 or order of a practitioner while acting in the course of his or her
11 professional practice.

12 (3) For purposes of this section, "practitioner" has the same
13 meaning as defined in RCW 69.50.101.

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

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