
HOUSE BILL 1220

State of Washington

69th Legislature

2025 Regular Session

By Representatives Farivar, Macri, and Reed

Prefiled 01/09/25.

1 AN ACT Relating to appropriate response to assaults by
2 individuals in behavioral health crisis; and amending RCW 9A.36.031.

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

4 **Sec. 1.** RCW 9A.36.031 and 2024 c 220 s 1 are each amended to
5 read as follows:

6 (1) A person is guilty of assault in the third degree if he or
7 she, under circumstances not amounting to assault in the first or
8 second degree:

9 (a) With intent to prevent or resist the execution of any lawful
10 process or mandate of any court officer or the lawful apprehension or
11 detention of himself, herself, or another person, assaults another;
12 or

13 (b) Assaults a person employed as a transit operator or driver,
14 the immediate supervisor of a transit operator or driver, a mechanic,
15 or a security officer, by a public or private transit company or a
16 contracted transit service provider, while that person is performing
17 his or her official duties at the time of the assault; or

18 (c) Assaults a school bus driver, the immediate supervisor of a
19 driver, a mechanic, or a security officer, employed by a school
20 district transportation service or a private company under contract
21 for transportation services with a school district, while the person

1 is performing his or her official duties at the time of the assault;
2 or

3 (d) With criminal negligence, causes bodily harm to another
4 person by means of a weapon or other instrument or thing likely to
5 produce bodily harm; or

6 (e) Assaults a firefighter or other employee of a fire
7 department, county fire marshal's office, county fire prevention
8 bureau, or fire protection district who was performing his or her
9 official duties at the time of the assault; or

10 (f) With criminal negligence, causes bodily harm accompanied by
11 substantial pain that extends for a period sufficient to cause
12 considerable suffering; or

13 (g) Assaults a law enforcement officer or other employee of a law
14 enforcement agency who was performing his or her official duties at
15 the time of the assault; or

16 (h) Assaults a peace officer with a projectile stun gun; or

17 (i) Assaults a nurse, physician, or health care provider who was
18 performing his or her nursing or health care duties at the time of
19 the assault, except where the individual is detained or is pending an
20 evaluation for detention under chapter 71.05 or 71.34 RCW, or is
21 detained for behavioral health treatment under chapter 10.77 RCW, or
22 is receiving or in the process of seeking voluntary in-patient
23 behavioral health treatment. For purposes of this subsection: "Nurse"
24 means a person licensed under chapter 18.79 RCW; "physician" means a
25 person licensed under chapter 18.57 or 18.71 RCW; and "health care
26 provider" means a person certified under chapter 18.71 or 18.73 RCW
27 who performs emergency medical services or a person regulated under
28 Title 18 RCW and employed by, or contracting with, a hospital
29 licensed under chapter 70.41 RCW. Nothing in this section precludes
30 charges of assault under RCW 9A.36.011, 9A.36.021, or 9A.36.041; or

31 (j) Assaults a judicial officer, court-related employee, county
32 clerk, or county clerk's employee, while that person is performing
33 his or her official duties at the time of the assault or as a result
34 of that person's employment within the judicial system. For purposes
35 of this subsection, "court-related employee" includes bailiffs, court
36 reporters, judicial assistants, court managers, court managers'
37 employees, and any other employee, regardless of title, who is
38 engaged in equivalent functions; or

39 (k) Assaults a person located in a courtroom, jury room, judge's
40 chamber, or any waiting area or corridor immediately adjacent to a

1 courtroom, jury room, or judge's chamber. This section shall apply
2 only: (i) During the times when a courtroom, jury room, or judge's
3 chamber is being used for judicial purposes during court proceedings;
4 and (ii) if signage was posted in compliance with RCW 2.28.200 at the
5 time of the assault; or

6 (1) Is a licensed health care provider who implants or causes
7 another to implant the provider's own gametes or reproductive
8 material into a patient during an assisted reproduction procedure.
9 For the purposes of this subsection, "gamete" means sperm, egg, or
10 any part of a sperm or egg, and "reproductive material" means a human
11 gamete or a human organism at any stage of development from
12 fertilized ovum to embryo.

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

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