

RCW 7.113.010 Definitions. The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Consent" means that at the time of sexual contact or sexual penetration, there are actual words or conduct indicating freely given agreement. Consent may be revoked at any time. Conduct short of voluntary agreement does not constitute consent as a matter of law. Consent cannot be freely given when a person does not have capacity due to disability, intoxication, or age. Consent cannot be freely given when the other party has authority or control over the care or custody of a person incarcerated or detained.

(2) "Sexual contact" means any touching of the sexual or other intimate parts of a person done for the purpose of gratifying sexual desire of either party or a third party.

(3) "Sexual penetration" has the same meaning as in RCW 7.105.010.

(4) "Sexually protective device" means an internal or external condom, spermicide, diaphragm, cervical cap, contraceptive sponge, dental dam, or any other physical barrier device intended to prevent pregnancy or sexually transmitted infection. "Sexually protective device" does not include an intrauterine device or any hormonal birth control method. [2024 c 254 s 1.]