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SENATE BILL 5242

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State of Washington

53rd Legislature

1993 Regular Session

By Senators Jesernig, A. Smith, Loveland, Prentice, Bauer, Williams, Hargrove, Drew, M. Rasmussen, Snyder, McAuliffe, Wojahn, Quigley, Oke, Fraser, Winsley and Spanel

Read first time 01/19/93. Referred to Committee on Law & Justice.

1 AN ACT Relating to incest; amending RCW 9A.64.020; and prescribing  
2 penalties.

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

4 **Sec. 1.** RCW 9A.64.020 and 1985 c 53 s 1 are each amended to read  
5 as follows:

6 (1) A person is guilty of incest in the first degree if he or she  
7 engages in sexual intercourse with a person whom he or she knows to be  
8 related to him(~~(, either legitimately or illegitimately,)~~) or her as an  
9 ancestor, descendant, brother, or sister of either the whole or the  
10 half blood.

11 (2) A person is guilty of incest in the second degree if he or she  
12 engages in sexual contact with a person whom he or she knows to be  
13 related to him(~~(, either legitimately or illegitimately,)~~) or her as an  
14 ancestor, descendant, brother, or sister of either the whole or the  
15 half blood.

16 (3) As used in this section, "ancestor" means direct lineal  
17 ancestors.

1       (4) As used in this section, "descendant" (~~((includes))~~) means direct  
2 lineal descendants, adopted children, and stepchildren (~~((and adopted~~  
3 ~~children))~~) under eighteen years of age.

4       (~~((4))~~) (5) As used in this section, "sexual contact" has the same  
5 meaning as in RCW (~~((9A.44.100(2))~~) 9A.44.010(2).

6       (~~((5))~~) (6) As used in this section, "sexual intercourse" has the  
7 same meaning as in RCW 9A.44.010(1).

8       (~~((6))~~) (7) Incest in the first degree where one person is less  
9 than twelve years old and the other person is at least forty-eight  
10 months older is a class A felony. In all other cases, incest in the  
11 first degree is a class B felony.

12       (~~((7))~~) (8) Incest in the second degree is a class C felony.

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