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**BILL REQUEST - CODE REVISER'S OFFICE**

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BILL REQ. #: Z-0095.1/03  
ATTY/TYPIST: KT:ads  
BRIEF DESCRIPTION: Reorganizing criminal statutes within Titles 28A through 28C RCW.

1 AN ACT Relating to reorganizing criminal statutes; amending RCW  
2 28A.405.040, 28A.635.050, 28A.635.090, 28A.635.100, 28B.10.570,  
3 28B.10.571, 28B.10.572, 28B.20.320, and 28B.85.030; repealing RCW  
4 28A.405.050, 28A.635.120, 28B.10.573, 28B.20.322, 28B.20.324, and  
5 28B.85.110; and prescribing penalties.

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

7 **Sec. 1.** RCW 28A.405.040 and 1990 c 33 s 384 are each amended to  
8 read as follows:

9 (1) No person, whose certificate or permit authorizing him or her  
10 to teach in the common schools of this state has been revoked due to  
11 his or her failure to endeavor to impress on the minds of his or her  
12 pupils the principles of patriotism, or to train them up to the true  
13 comprehension of the rights, duty and dignity of American citizenship,  
14 shall be permitted to teach in any common school in this state.

15 (2) Any person teaching in any school in violation of this section,  
16 and any school director knowingly permitting any person to teach in any  
17 school in violation of this section is guilty of a misdemeanor.

1       **Sec. 2.** RCW 28A.635.050 and 1990 c 33 s 537 are each amended to  
2 read as follows:

3       (1) Except as otherwise provided in chapter 42.23 RCW, it shall be  
4 unlawful for any member of the state board of education, the  
5 superintendent of public instruction or any employee of the  
6 superintendent's office, any educational service district  
7 superintendent, any school district superintendent or principal, or any  
8 director of any school district, to request or receive, directly or  
9 indirectly, anything of value for or on account of his or her influence  
10 with respect to any act or proceeding of the state board of education,  
11 the office of the superintendent of public instruction, any office of  
12 educational service district superintendent or any school district, or  
13 any of these, when such act or proceeding shall inure to the benefit of  
14 those offering or giving the thing of value.

15       (2) Any willful violation of the provisions of this section (~~shall~~  
16 ~~be~~) is a misdemeanor (~~and punished as such~~).

17       **Sec. 3.** RCW 28A.635.090 and 1996 c 321 s 3 are each amended to  
18 read as follows:

19       (1) It shall be unlawful for any person, singly or in concert with  
20 others, to interfere by force or violence with any administrator,  
21 teacher, classified employee, person under contract with the school or  
22 school district, or student of any common school who is in the peaceful  
23 discharge or conduct of his or her duties or studies. Any such  
24 interference by force or violence committed by a student shall be  
25 grounds for immediate suspension or expulsion of the student.

26       (2) A person violating this section is guilty of a gross  
27 misdemeanor and shall be fined not more than five hundred dollars, or  
28 imprisoned in jail not more than six months, or both such fine and  
29 imprisonment.

30       **Sec. 4.** RCW 28A.635.100 and 1990 c 33 s 541 are each amended to  
31 read as follows:

32       (1) It shall be unlawful for any person, singly or in concert with  
33 others, to intimidate by threat of force or violence any administrator,  
34 teacher, classified employee, or student of any common school who is in  
35 the peaceful discharge or conduct of his or her duties or studies.

1       (2) A person violating this section is guilty of a gross  
2 misdemeanor and shall be fined not more than five hundred dollars, or  
3 imprisoned in jail not more than six months, or both such fine and  
4 imprisonment.

5       **Sec. 5.** RCW 28B.10.570 and 1971 c 45 s 1 are each amended to read  
6 as follows:

7       (1) It shall be unlawful for any person, singly or in concert with  
8 others, to interfere by force or violence with any administrator,  
9 faculty member or student of any university, college or community  
10 college who is in the peaceful discharge or conduct of his or her  
11 duties or studies.

12       (2) A person violating this section is guilty of a gross  
13 misdemeanor and shall be fined not more than five hundred dollars, or  
14 imprisoned in jail not more than six months, or both such fine and  
15 imprisonment.

16       **Sec. 6.** RCW 28B.10.571 and 1971 c 45 s 2 are each amended to read  
17 as follows:

18       (1) It shall be unlawful for any person, singly or in concert with  
19 others, to intimidate by threat of force or violence any administrator,  
20 faculty member or student of any university, college or community  
21 college who is in the peaceful discharge or conduct of his or her  
22 duties or studies.

23       (2) A person violating this section is guilty of a gross  
24 misdemeanor and shall be fined not more than five hundred dollars, or  
25 imprisoned in jail not more than six months, or both such fine and  
26 imprisonment.

27       **Sec. 7.** RCW 28B.10.572 and 1970 ex.s. c 98 s 3 are each amended to  
28 read as follows:

29       The crimes defined in RCW 28B.10.570 (~~(through 28B.10.573)~~) and  
30 28B.10.571 shall not apply to school administrators or teachers who are  
31 engaged in the reasonable exercise of their disciplinary authority.

32       **Sec. 8.** RCW 28B.20.320 and 1969 ex.s. c 223 s 28B.20.320 are each  
33 amended to read as follows:

34       (1) There is hereby created an area of preserve of marine

1 biological materials useful for scientific purposes, except when  
2 gathered for human food, and except, also, the plant nereocystis,  
3 commonly called "kelp." (~~Said~~) Such area of preserve shall consist  
4 of the salt waters and the beds and shores of the islands constituting  
5 San Juan county and of Cypress Island in Skagit county.

6 (2) No person shall gather such marine biological materials from  
7 the area of preserve, except upon permission first granted by the  
8 director of the Friday Harbor Laboratories of the University of  
9 Washington.

10 (3) A person gathering such marine biological materials contrary to  
11 the terms of this section is guilty of a misdemeanor.

12 **Sec. 9.** RCW 28B.85.030 and 1986 c 136 s 3 are each amended to read  
13 as follows:

14 (1) A degree-granting institution shall not operate and shall not  
15 grant or offer to grant any degree unless the institution has obtained  
16 current authorization from the board.

17 (2) Any person, group, or entity or any owner, officer, agent, or  
18 employee of such entity who willfully violates this section is guilty  
19 of a gross misdemeanor and shall be punished by a fine not to exceed  
20 one thousand dollars or by imprisonment in the county jail for a term  
21 not to exceed one year, or by both such fine and imprisonment. Each  
22 day on which a violation occurs constitutes a separate violation. The  
23 criminal sanctions may be imposed by a court of competent jurisdiction  
24 in an action brought by the attorney general of this state.

25 NEW SECTION. **Sec. 10.** The following acts or parts of acts are  
26 each repealed:

27 (1) RCW 28A.405.050 (Noncompliance with RCW 28A.405.040--Penalties)  
28 and 1991 c 115 s 1, 1990 c 33 s 385, & 1969 ex.s. c 223 s 28A.67.035;

29 (2) RCW 28A.635.120 (Violations under RCW 28A.635.090 and  
30 28A.635.100--Penalty) and 1990 c 33 s 543 & 1971 c 45 s 6;

31 (3) RCW 28B.10.573 (Certain unlawful acts--Penalty) and 1970 ex.s.  
32 c 98 s 4;

33 (4) RCW 28B.20.322 (Marine biological preserve--Gathering permit)  
34 and 1969 ex.s. c 223 s 28B.20.322;

35 (5) RCW 28B.20.324 (Marine biological preserve--Penalty for  
36 unlawful gathering) and 1969 ex.s. c 223 s 28B.20.324; and

1 (6) RCW 28B.85.110 (Violations--Criminal sanctions) and 1986 c 136  
2 s 11.

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