

C felony punishable under chapter 9A.20 RCW. The signal given by the law enforcement officer may be by hand, voice, emergency light, or siren. The officer giving such a signal shall be in uniform and his or her vessel shall be appropriately marked showing it to be an official law enforcement vessel.

Passed the House February 12, 1990.

Passed the Senate March 1, 1990.

Approved by the Governor March 28, 1990.

Filed in Office of Secretary of State March 28, 1990.

CHAPTER 236

[Substitute Senate Bill No. 6255]

ASSAULT ON TRANSIT OR SCHOOL BUS DRIVER

AN ACT Relating to assault of a transit or school bus operator or driver; and amending RCW 9A.36.031.

Be it enacted by the Legislature of the State of Washington:

Sec. 1. Section 6, chapter 257, Laws of 1986 as last amended by section 1, chapter 169, Laws of 1989 and RCW 9A.36.031 are each amended to read as follows:

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

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

(b) Assaults a person employed as a transit operator or driver by a public or private transit company while that person is operating or is in control of a vehicle that is owned or operated by the transit company and that is occupied by one or more passengers; or

(c) Assaults a school bus driver employed by a school district or a private company under contract for transportation services with a school district while the driver is operating or is in control of a school bus that is occupied by one or more passengers; or

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

~~((d))~~ (e) Assaults a fire fighter or other employee of a fire department or fire protection district who was performing his or her official duties at the time of the assault; or

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

~~((f))~~ (g) Assaults a law enforcement officer or other employee of a law enforcement agency who was performing his or her official duties at the time of the assault.

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

Passed the Senate March 8, 1990.

Passed the House March 1, 1990.

Approved by the Governor March 28, 1990.

Filed in Office of Secretary of State March 28, 1990.

CHAPTER 237

[Substitute Senate Bill No. 6393]

PENSION MONEYS—EXEMPTIONS FROM PROCESS

AN ACT Relating to exempt pension money; amending RCW 6.15.020; and declaring an emergency.

Be it enacted by the Legislature of the State of Washington:

Sec. 1. Section 6, chapter 231, Laws of 1988 as amended by section 21, chapter 360, Laws of 1989 and RCW 6.15.020 are each amended to read as follows:

(1) It is the policy of the state of Washington to ensure the well-being of its citizens by protecting retirement income to which they are or may become entitled. For that purpose generally and pursuant to the authority granted to the state of Washington under 11 U.S.C. Sec. 522(b)(2), the exemptions in this section relating to retirement benefits are provided.

(2) Unless otherwise provided by federal law, any money received by any citizen of the state of Washington as a pension from the government of the United States, whether the same be in the actual possession of such person or be deposited or loaned, shall be exempt from execution, attachment, garnishment, or seizure by or under any legal process whatever, and when a debtor dies, or absconds, and leaves his or her family any money exempted by this ~~((section))~~ subsection, the same shall be exempt to the family as provided in this ~~((section))~~ subsection. This ~~((section))~~ subsection shall not apply to child support collection actions issued under chapter 26-.18, 26.23, or 74.20A RCW, if otherwise permitted by federal law.

~~((2))~~ (3) The right of a person to a pension, annuity, or retirement allowance or disability allowance, or death benefits, or any optional benefit, or any other right accrued or accruing to any citizen of the state of Washington under any employee benefit plan, and any fund created by such a plan or arrangement, shall be exempt from execution, attachment, garnishment, or seizure by or under any legal process whatever. This subsection shall not apply to child support collection actions issued under chapter 26-.18, 26.23, or 74.20A RCW if otherwise permitted by federal law. This subsection shall permit benefits under any such plan or arrangement to be