

HOUSE BILL ANALYSIS

HB 1069

Title: An act relating to malicious use of explosives.

Brief Description: Prohibiting the malicious use of explosives.

Sponsors: Representatives Sterk and Honeyford.

HOUSE COMMITTEE ON LAW & JUSTICE

Staff: Bill Perry (786-7123).

Background: Recent bombing incidents have raised concerns about the coverage of some of the state's criminal laws relating to explosives. Some of these bombings may have had an element of terrorist intent.

Under the explosives law, there are two bombing related offenses with what amount to two degrees for each offense. These four crimes and their rankings under the Sentencing Reform Act (SRA) are:

- Exploding a bomb with malice and endangering life or safety (level X);
- Exploding a bomb with malice and damaging property (level IX);
- Placing a bomb with malice where it would endanger life or safety (level VI);
- Placing a bomb with malice where it would damage property (level VI).

These crimes are not classified as "A" "B" or "C" felonies but carry specified maximum prison sentences of 25, 5, 20 and 5 years, respectively. No fines are specified.

Summary of Bill: The crimes related to placing or exploding a bomb are altered in three ways. First, crimes related to bombing are classified as "A" or "B" felonies. Second, new degrees of these crimes are created by adding an element of "terrorism" to each. Third, these crimes are ranked under the SRA, with increased rankings for the existing crimes and higher rankings yet for bombings done with terrorist intent.

Bombing related crimes are ranked under the SRA and are classified as follows:

- Level XIV - Exploding with terrorist intent (class A);
- Level XIII - Exploding and endangering life or safety (class A);
- Level XII - Placing with terrorist intent (class A);
- Level X - Exploding and damaging property (class B);

- Level IX - Placing to endanger life or safety (class B);
- Level VII - Placing to damage property (class B).

{NOTE: A definition of terrorism was inadvertently omitted from the bill. An amendment to add such a definition is in the members' notebooks. Terrorism is defined as intent to intimidate or coerce a civilian population or to influence or retaliate against a government.}

Fiscal Note: Not requested.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Office of Program Research