

1 XII Assault 1 (RCW 9A.36.011)
2 Assault of a Child 1 (RCW 9A.36.120)
3 Rape 1 (RCW 9A.44.040)
4 Rape of a Child 1 (RCW 9A.44.073)
5 Malicious placement of an imitation device
6 1 (RCW 70.74.272(1)(a))
7 XI Rape 2 (RCW 9A.44.050)
8 Rape of a Child 2 (RCW 9A.44.076)
9 Manslaughter 1 (RCW 9A.32.060)
10 X Kidnapping 1 (RCW 9A.40.020)
11 Child Molestation 1 (RCW 9A.44.083)
12 Malicious explosion 3 (RCW 70.74.280(3))
13 Over 18 and deliver heroin or narcotic from
14 Schedule I or II to someone under 18
15 (RCW 69.50.406)
16 Leading Organized Crime (RCW
17 9A.82.060(1)(a))
18 Indecent Liberties (with forcible
19 compulsion) (RCW 9A.44.100(1)(a))
20 IX Assault of a Child 2 (RCW 9A.36.130)
21 Robbery 1 (RCW 9A.56.200)
22 Explosive devices prohibited (RCW
23 70.74.180)
24 Malicious placement of an explosive 2 (RCW
25 70.74.270(2))
26 Over 18 and deliver narcotic from Schedule
27 III, IV, or V or a nonnarcotic from
28 Schedule I-V to someone under 18 and 3
29 years junior (RCW 69.50.406)
30 Controlled Substance Homicide (RCW
31 69.50.415)
32 Sexual Exploitation (RCW 9.68A.040)
33 Inciting Criminal Profiteering (RCW
34 9A.82.060(1)(b))
35 Vehicular Homicide, by being under the
36 influence of intoxicating liquor or
37 any drug (RCW 46.61.520)

1 VIII Arson 1 (RCW 9A.48.020)
2 Promoting Prostitution 1 (RCW 9A.88.070)
3 Selling for profit (controlled or
4 counterfeit) any controlled substance
5 (RCW 69.50.410)
6 Manufacture, deliver, or possess with
7 intent to deliver heroin or cocaine
8 (RCW 69.50.401(a)(1)(i))
9 Manufacture, deliver, or possess with
10 intent to deliver amphetamine or
11 methamphetamine (RCW
12 69.50.401(a)(1)(ii))
13 Possession of ephedrine or pseudoephedrine
14 with intent to manufacture
15 methamphetamine (RCW 69.50.440)
16 Vehicular Homicide, by the operation of any
17 vehicle in a reckless manner (RCW
18 46.61.520)
19 Manslaughter 2 (RCW 9A.32.070)
20 VII Burglary 1 (RCW 9A.52.020)
21 Vehicular Homicide, by disregard for the
22 safety of others (RCW 46.61.520)
23 Introducing Contraband 1 (RCW 9A.76.140)
24 Indecent Liberties (without forcible
25 compulsion) (RCW 9A.44.100(1) (b) and
26 (c))
27 Child Molestation 2 (RCW 9A.44.086)
28 Dealing in depictions of minor engaged in
29 sexually explicit conduct (RCW
30 9.68A.050)
31 Sending, bringing into state depictions of
32 minor engaged in sexually explicit
33 conduct (RCW 9.68A.060)
34 Involving a minor in drug dealing (RCW
35 69.50.401(f))
36 Drive-by Shooting (RCW 9A.36.045)
37 Unlawful Possession of a Firearm in the
38 first degree (RCW 9.41.040(1)(a))

1 Malicious placement of an explosive 3 (RCW
2 70.74.270(3))

3 VI Bribery (RCW 9A.68.010)
4 Rape of a Child 3 (RCW 9A.44.079)
5 Intimidating a Juror/Witness (RCW
6 9A.72.110, 9A.72.130)
7 Malicious placement of an imitation device
8 2 (RCW 70.74.272(1)(b))
9 Incest 1 (RCW 9A.64.020(1))
10 Manufacture, deliver, or possess with
11 intent to deliver narcotics from
12 Schedule I or II (except heroin or
13 cocaine) (RCW 69.50.401(a)(1)(i))
14 Intimidating a Judge (RCW 9A.72.160)
15 Bail Jumping with Murder 1 (RCW
16 9A.76.170(2)(a))
17 Theft of a Firearm (RCW 9A.56.300)

18 V Persistent prison misbehavior (RCW
19 9.94.070)
20 Criminal Mistreatment 1 (RCW 9A.42.020)
21 Abandonment of dependent person 1 (RCW
22 9A.42.060)
23 Rape 3 (RCW 9A.44.060)
24 Sexual Misconduct with a Minor 1 (RCW
25 9A.44.093)
26 Child Molestation 3 (RCW 9A.44.089)
27 Kidnapping 2 (RCW 9A.40.030)
28 Extortion 1 (RCW 9A.56.120)
29 Incest 2 (RCW 9A.64.020(2))
30 Perjury 1 (RCW 9A.72.020)
31 Extortionate Extension of Credit (RCW
32 9A.82.020)
33 Advancing money or property for
34 extortionate extension of credit (RCW
35 9A.82.030)
36 Extortionate Means to Collect Extensions of
37 Credit (RCW 9A.82.040)

1 Rendering Criminal Assistance 1 (RCW
2 9A.76.070)
3 Bail Jumping with class A Felony (RCW
4 9A.76.170(2)(b))
5 Sexually Violating Human Remains (RCW
6 9A.44.105)
7 Delivery of imitation controlled substance
8 by person eighteen or over to person
9 under eighteen (RCW 69.52.030(2))
10 Possession of a Stolen Firearm (RCW
11 9A.56.310)

12 IV Residential Burglary (RCW 9A.52.025)
13 Theft of Livestock 1 (RCW 9A.56.080)
14 Robbery 2 (RCW 9A.56.210)
15 Assault 2 (RCW 9A.36.021)
16 Escape 1 (RCW 9A.76.110)
17 Arson 2 (RCW 9A.48.030)
18 Commercial Bribery (RCW 9A.68.060)
19 Bribing a Witness/Bribe Received by Witness
20 (RCW 9A.72.090, 9A.72.100)
21 Malicious Harassment (RCW 9A.36.080)
22 Threats to Bomb (RCW 9.61.160)
23 Willful Failure to Return from Furlough
24 (RCW 72.66.060)
25 Hit and Run--Injury Accident (RCW
26 46.52.020(4))
27 Hit and Run with Vessel--Injury Accident
28 (RCW 88.12.155(3))
29 Vehicular Assault (RCW 46.61.522)
30 Manufacture, deliver, or possess with
31 intent to deliver narcotics from
32 Schedule III, IV, or V or nonnarcotics
33 from Schedule I-V (except marijuana,
34 amphetamine, or methamphetamines) (RCW
35 69.50.401(a)(1) (iii) through (v))
36 Influencing Outcome of Sporting Event (RCW
37 9A.82.070)

1 Use of Proceeds of Criminal Profiteering
2 (RCW 9A.82.080 (1) and (2))
3 Knowingly Trafficking in Stolen Property
4 (RCW 9A.82.050(2))
5 III Criminal Gang Intimidation (RCW 9A.46.120)
6 Criminal Mistreatment 2 (RCW 9A.42.030)
7 Abandonment of dependent person 2 (RCW
8 9A.42.070)
9 Extortion 2 (RCW 9A.56.130)
10 Unlawful Imprisonment (RCW 9A.40.040)
11 Assault 3 (RCW 9A.36.031)
12 Assault of a Child 3 (RCW 9A.36.140)
13 Custodial Assault (RCW 9A.36.100)
14 Unlawful possession of firearm in the
15 second degree (RCW 9.41.040(1)(b))
16 Harassment (RCW 9A.46.020)
17 Promoting Prostitution 2 (RCW 9A.88.080)
18 Willful Failure to Return from Work Release
19 (RCW 72.65.070)
20 Burglary 2 (RCW 9A.52.030)
21 Introducing Contraband 2 (RCW 9A.76.150)
22 Communication with a Minor for Immoral
23 Purposes (RCW 9.68A.090)
24 Patronizing a Juvenile Prostitute (RCW
25 9.68A.100)
26 Escape 2 (RCW 9A.76.120)
27 Perjury 2 (RCW 9A.72.030)
28 Bail Jumping with class B or C Felony (RCW
29 9A.76.170(2)(c))
30 Intimidating a Public Servant (RCW
31 9A.76.180)
32 Tampering with a Witness (RCW 9A.72.120)
33 Manufacture, deliver, or possess with
34 intent to deliver marijuana (RCW
35 69.50.401(a)(1)(iii))
36 Delivery of a material in lieu of a
37 controlled substance (RCW
38 69.50.401(c))

1 Manufacture, distribute, or possess with
2 intent to distribute an imitation
3 controlled substance (RCW
4 69.52.030(1))
5 Recklessly Trafficking in Stolen Property
6 (RCW 9A.82.050(1))
7 Theft of livestock 2 (RCW 9A.56.080)
8 Securities Act violation (RCW 21.20.400)

9 II Unlawful Practice of Law (RCW 2.48.180)
10 Malicious Mischief 1 (RCW 9A.48.070)
11 Possession of Stolen Property 1 (RCW
12 9A.56.150)
13 Theft 1 (RCW 9A.56.030)
14 Class B Felony Theft of Rental, Leased, or
15 Lease-purchased Property (RCW
16 9A.56.096(4))
17 Trafficking in Insurance Claims (RCW
18 48.30A.015)
19 Unlicensed Practice of a Profession or
20 Business (RCW 18.130.190(7))
21 Health Care False Claims (RCW 48.80.030)
22 Possession of controlled substance that is
23 either heroin or narcotics from
24 Schedule I or II (RCW 69.50.401(d))
25 Possession of phencyclidine (PCP) (RCW
26 69.50.401(d))
27 Create, deliver, or possess a counterfeit
28 controlled substance (RCW
29 69.50.401(b))
30 Computer Trespass 1 (RCW 9A.52.110)
31 Escape from Community Custody (RCW
32 72.09.310)

33 I Theft 2 (RCW 9A.56.040)
34 Class C Felony Theft of Rental, Leased, or
35 Lease-purchased Property (RCW
36 9A.56.096(4))
37 Possession of Stolen Property 2 (RCW
38 9A.56.160)

1 Forgery (RCW 9A.60.020)
2 Taking Motor Vehicle Without Permission
3 (RCW 9A.56.070)
4 Vehicle Prowl 1 (RCW 9A.52.095)
5 Attempting to Elude a Pursuing Police
6 Vehicle (RCW 46.61.024)
7 Malicious Mischief 2 (RCW 9A.48.080)
8 Reckless Burning 1 (RCW 9A.48.040)
9 Unlawful Issuance of Checks or Drafts (RCW
10 9A.56.060)
11 Unlawful Use of Food Stamps (RCW 9.91.140
12 (2) and (3))
13 False Verification for Welfare (RCW
14 74.08.055)
15 Forged Prescription (RCW 69.41.020)
16 Forged Prescription for a Controlled
17 Substance (RCW 69.50.403)
18 Possess Controlled Substance that is a
19 Narcotic from Schedule III, IV, or V
20 or Non-narcotic from Schedule I-V
21 (except phencyclidine) (RCW
22 69.50.401(d))

23 **Sec. 2.** RCW 69.50.401 and 1997 c 71 s 2 are each amended to read
24 as follows:

25 (a) Except as authorized by this chapter, it is unlawful for any
26 person to manufacture, deliver, or possess with intent to manufacture
27 or deliver, a controlled substance.

28 (1) Any person who violates this subsection with respect to:

29 (i) a controlled substance classified in Schedule I or II which is
30 a narcotic drug, is guilty of a crime and upon conviction may be
31 imprisoned for not more than ten years, or (A) fined not more than
32 twenty-five thousand dollars if the crime involved less than two
33 kilograms of the drug, or both such imprisonment and fine; or (B) if
34 the crime involved two or more kilograms of the drug, then fined not
35 more than one hundred thousand dollars for the first two kilograms and
36 not more than fifty dollars for each gram in excess of two kilograms,
37 or both such imprisonment and fine;

1 (ii) amphetamine or methamphetamine, is guilty of a crime and upon
2 conviction may be imprisoned for not more than ten years, or (A) fined
3 not more than twenty-five thousand dollars if the crime involved less
4 than two kilograms of the drug, or both such imprisonment and fine; or
5 (B) if the crime involved two or more kilograms of the drug, then fined
6 not more than one hundred thousand dollars for the first two kilograms
7 and not more than fifty dollars for each gram in excess of two
8 kilograms, or both such imprisonment and fine. Three thousand dollars
9 of the fine may not be suspended. As collected, the first three
10 thousand dollars of the fine must be deposited with the law enforcement
11 agency having responsibility for cleanup of laboratories, sites, or
12 substances used in the manufacture of the methamphetamine. The fine
13 moneys deposited with that law enforcement agency must be used for such
14 clean-up cost;

15 (iii) any other controlled substance classified in Schedule I, II,
16 or III, is guilty of a crime and upon conviction may be imprisoned for
17 not more than five years, fined not more than ten thousand dollars, or
18 both;

19 (iv) a substance classified in Schedule IV, is guilty of a crime
20 and upon conviction may be imprisoned for not more than five years,
21 fined not more than ten thousand dollars, or both;

22 (v) a substance classified in Schedule V, is guilty of a crime and
23 upon conviction may be imprisoned for not more than five years, fined
24 not more than ten thousand dollars, or both.

25 (b) Except as authorized by this chapter, it is unlawful for any
26 person to create, deliver, or possess a counterfeit substance.

27 (1) Any person who violates this subsection with respect to:

28 (i) a counterfeit substance classified in Schedule I or II which is
29 a narcotic drug, is guilty of a crime and upon conviction may be
30 imprisoned for not more than ten years, fined not more than twenty-five
31 thousand dollars, or both;

32 (ii) a counterfeit substance which is methamphetamine, is guilty of
33 a crime and upon conviction may be imprisoned for not more than ten
34 years, fined not more than twenty-five thousand dollars, or both;

35 (iii) any other counterfeit substance classified in Schedule I, II,
36 or III, is guilty of a crime and upon conviction may be imprisoned for
37 not more than five years, fined not more than ten thousand dollars, or
38 both;

1 (iv) a counterfeit substance classified in Schedule IV, is guilty
2 of a crime and upon conviction may be imprisoned for not more than five
3 years, fined not more than ten thousand dollars, or both;

4 (v) a counterfeit substance classified in Schedule V, is guilty of
5 a crime and upon conviction may be imprisoned for not more than five
6 years, fined not more than ten thousand dollars, or both.

7 (c) It is unlawful, except as authorized in this chapter and
8 chapter 69.41 RCW, for any person to offer, arrange, or negotiate for
9 the sale, gift, delivery, dispensing, distribution, or administration
10 of a controlled substance to any person and then sell, give, deliver,
11 dispense, distribute, or administer to that person any other liquid,
12 substance, or material in lieu of such controlled substance. Any
13 person who violates this subsection is guilty of a crime and upon
14 conviction may be imprisoned for not more than five years, fined not
15 more than ten thousand dollars, or both.

16 (d) It is unlawful for any person to possess a controlled substance
17 unless the substance was obtained directly from, or pursuant to, a
18 valid prescription or order of a practitioner while acting in the
19 course of his or her professional practice, or except as otherwise
20 authorized by this chapter. Any person who violates this subsection is
21 guilty of a crime, and upon conviction may be imprisoned for not more
22 than five years, fined not more than ten thousand dollars, or both,
23 except as provided for in subsection (e) of this section.

24 (e) Except as provided for in subsection (a)(1)(iii) of this
25 section any person found guilty of possession of forty grams or less of
26 marihuana shall be guilty of a misdemeanor.

27 (f) It is unlawful to compensate, threaten, solicit, or in any
28 other manner involve a person under the age of eighteen years in a
29 transaction unlawfully to manufacture, sell, or deliver a controlled
30 substance. A violation of this subsection shall be punished as a class
31 C felony punishable in accordance with RCW 9A.20.021.

32 This section shall not apply to offenses defined and punishable
33 under the provisions of RCW 69.50.410.

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