

CERTIFICATION OF ENROLLMENT  
**ENGROSSED SUBSTITUTE HOUSE BILL 1844**

58th Legislature  
2003 Regular Session

Passed by the House March 18, 2003  
Yeas 97 Nays 0

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**Speaker of the House of Representatives**

Passed by the Senate April 15, 2003  
Yeas 47 Nays 0

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**President of the Senate**

Approved

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**Governor of the State of Washington**

CERTIFICATE

I, Cynthia Zehnder, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **ENGROSSED SUBSTITUTE HOUSE BILL 1844** as passed by the House of Representatives and the Senate on the dates hereon set forth.

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**Chief Clerk**

FILED

**Secretary of State  
State of Washington**

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**ENGROSSED SUBSTITUTE HOUSE BILL 1844**

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Passed Legislature - 2003 Regular Session

**State of Washington**

**58th Legislature**

**2003 Regular Session**

**By** House Committee on Financial Institutions & Insurance (originally sponsored by Representatives Schual-Berke, Benson, Simpson, Morrell, McIntire, Mielke, Hudgins, Rockefeller and Bush)

READ FIRST TIME 03/05/03.

1       AN ACT Relating to possession of instruments or equipment of  
2 financial fraud; amending RCW 9A.56.280, 9A.56.290, and 9A.60.020;  
3 reenacting and amending RCW 9A.82.010, 9.94A.515, and 9.94A.515; adding  
4 new sections to chapter 9A.56 RCW; prescribing penalties; providing an  
5 effective date; and providing an expiration date.

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

7       NEW SECTION. **Sec. 1.** A new section is added to chapter 9A.56 RCW  
8 to read as follows:

9       (1) A person is guilty of unlawful production of payment  
10 instruments if he or she prints or produces a check or other payment  
11 instrument in the name of a person or entity, or with the routing  
12 number or account number of a person or entity, without the permission  
13 of the person or entity to manufacture or reproduce such payment  
14 instrument with such name, routing number, or account number.

15       (2)(a) A person is guilty of unlawful possession of payment  
16 instruments if he or she possesses two or more checks or other payment  
17 instruments, alone or in combination:

18       (i) In the name of a person or entity, or with the routing number  
19 or account number of a person or entity, without the permission of the

1 person or entity to possess such payment instrument, and with intent  
2 either to deprive the person of possession of such payment instrument  
3 or to commit theft, forgery, or identity theft; or

4 (ii) In the name of a fictitious person or entity, or with a  
5 fictitious routing number or account number of a person or entity, with  
6 intent to use the payment instruments to commit theft, forgery, or  
7 identity theft.

8 (b) (a)(i) of this subsection does not apply to:

9 (i) A person or financial institution that has lawful possession of  
10 a check, which is endorsed to that person or financial institution; and

11 (ii) A person or financial institution that processes checks for a  
12 lawful business purpose.

13 (3) A person is guilty of unlawful possession of a personal  
14 identification device if the person possesses a personal identification  
15 device with intent to use such device to commit theft, forgery, or  
16 identity theft. "Personal identification device" includes any machine  
17 or instrument whose purpose is to manufacture or print any driver's  
18 license or identification card issued by any state or the federal  
19 government, or any employee identification issued by any employer,  
20 public or private, including but not limited to badges and  
21 identification cards, or any credit or debit card.

22 (4) A person is guilty of unlawful possession of fictitious  
23 identification if the person possesses a personal identification card  
24 with a fictitious person's identification with intent to use such  
25 identification card to commit theft, forgery, or identity theft, when  
26 the possession does not amount to a violation of RCW 9.35.020.

27 (5) A person is guilty of unlawful possession of instruments of  
28 financial fraud if the person possesses a check-making machine,  
29 equipment, or software, with intent to use or distribute checks for  
30 purposes of defrauding an account holder, business, financial  
31 institution, or any other person or organization.

32 (6) This section does not apply to:

33 (a) A person, business, or other entity, that has lawful possession  
34 of a check, which is endorsed to that person, business, or other  
35 entity;

36 (b) A financial institution or other entity that processes checks  
37 for a lawful business purpose;

1 (c) A person engaged in a lawful business who obtains another  
2 person's personal identification in the ordinary course of that lawful  
3 business;

4 (d) A person who obtains another person's personal identification  
5 for the sole purpose of misrepresenting his or her age; and

6 (e) A law enforcement agency that produces or displays counterfeit  
7 credit or debit cards, checks or other payment instruments, or personal  
8 identification devices for investigative or educational purposes.

9 (7) In a proceeding under this section that is related to an  
10 identity theft under RCW 9.35.020, the crime will be considered to have  
11 been committed in any locality where the person whose means of  
12 identification or financial information was appropriated resides, or in  
13 which any part of the offense took place, regardless of whether the  
14 defendant was ever actually in that locality.

15 (8) A violation of this section is a class C felony.

16 NEW SECTION. **Sec. 2.** A new section is added to chapter 9A.56 RCW  
17 to read as follows:

18 (1) A person is guilty of possession of another's identification if  
19 the person knowingly possesses personal identification bearing another  
20 person's identity, when the person possessing the personal  
21 identification does not have the other person's permission to possess  
22 it, and when the possession does not amount to a violation of RCW  
23 9.35.020.

24 (2) This section does not apply to:

25 (a) A person who obtains, by means other than theft, another  
26 person's personal identification for the sole purpose of  
27 misrepresenting his or her age;

28 (b) A person engaged in a lawful business who obtains another  
29 person's personal identification in the ordinary course of business;

30 (c) A person who finds another person's lost personal  
31 identification, does not intend to deprive the other person of the  
32 personal identification or to use it to commit a crime, and takes  
33 reasonably prompt steps to return it to its owner; and

34 (d) A law enforcement agency that produces or displays counterfeit  
35 credit or debit cards, checks or other payment instruments, or personal  
36 identification for investigative or educational purposes.

1 (3) In a proceeding under this section that is related to an  
2 identity theft under RCW 9.35.020, the crime will be considered to have  
3 been committed in any locality where the person whose means of  
4 identification or financial information was appropriated resides, or in  
5 which any part of the offense took place, regardless of whether the  
6 defendant was ever actually in that locality.

7 (4) A violation of this section is a gross misdemeanor.

8 **Sec. 3.** RCW 9A.56.280 and 1993 c 484 s 1 are each amended to read  
9 as follows:

10 As used in RCW 9A.56.280 (~~(and)~~), 9A.56.290, 9A.60.020, and  
11 sections 1 and 2 of this act, unless the context requires otherwise:

12 (1) "Cardholder" means a person to whom a credit card is issued or  
13 a person who otherwise is authorized to use a credit card.

14 (2) "Check" means a negotiable instrument that meets the definition  
15 of "check" under RCW 62A.3-104 or a blank form instrument that would  
16 meet the definition of "check" under RCW 62A.3-104 if it were completed  
17 and signed.

18 (3) "Credit card" means a card, plate, booklet, credit card number,  
19 credit card account number, or other identifying symbol, instrument, or  
20 device that can be used to pay for, or to obtain on credit, goods or  
21 services.

22 (~~(3)~~) (4) "Credit card transaction" means a sale or other  
23 transaction in which a credit card is used to pay for, or to obtain on  
24 credit, goods or services.

25 (~~(4)~~) (5) "Credit card transaction record" means a record or  
26 evidence of a credit card transaction, including, without limitation,  
27 a paper, sales draft, instrument, or other writing and an electronic or  
28 magnetic transmission or record.

29 (~~(5)~~) (6) "Debit card" means a card used to obtain goods or  
30 services by a transaction that debits the cardholder's account, rather  
31 than extending credit.

32 (7) "Financial information" means financial information as defined  
33 in RCW 9.35.005.

34 (8) "Financial institution" means a bank, trust company, mutual  
35 savings bank, savings and loan association, or credit union authorized  
36 under state or federal law to do business and accept deposits in  
37 Washington.

1       ~~((6))~~ (9) "Means of identification" means means of identification  
2 as defined in RCW 9.35.005.

3       (10) "Merchant" means a person authorized by a financial  
4 institution to honor or accept credit cards in payment for goods or  
5 services.

6       ~~((7))~~ (11) "Person" means an individual, partnership,  
7 corporation, trust, or unincorporated association, but does not include  
8 a financial institution or its authorized employees, representatives,  
9 or agents.

10       (12) "Personal identification" means any driver's license,  
11 passport, or identification card actually or purportedly issued by any  
12 federal, state, local or foreign governmental entity; any credit card  
13 or debit card; or any employee identification card actually or  
14 purportedly issued by any employer, public or private, including but  
15 not limited to a badge or identification or access card.

16       **Sec. 4.** RCW 9A.56.290 and 1993 c 484 s 2 are each amended to read  
17 as follows:

18       (1) A person commits the crime of unlawful factoring of a credit  
19 card transaction if the person, with intent to commit fraud or theft  
20 against a cardholder, credit card issuer, or financial institution,  
21 causes any such party or parties to suffer actual monetary damages that  
22 in the aggregate exceed one thousand dollars, by:

23       (a) Presenting to or depositing with, or causing another to present  
24 to or deposit with, a financial institution for payment a credit card  
25 transaction record that is not the result of a credit card transaction  
26 between the cardholder and the person;

27       (b) Employing, soliciting, or otherwise causing a merchant or an  
28 employee, representative, or agent of a merchant to present to or  
29 deposit with a financial institution for payment a credit card  
30 transaction record that is not the result of a credit card transaction  
31 between the cardholder and the merchant; or

32       (c) Employing, soliciting, or otherwise causing another to become  
33 a merchant for purposes of engaging in conduct made unlawful by this  
34 section.

35       (2) Normal transactions conducted by or through airline reporting  
36 corporation-appointed travel agents or cruise-only travel agents

1 recognized by passenger cruise lines are not considered factoring for  
2 the purposes of this section.

3 (3) In a proceeding under this section that is related to an  
4 identity theft under RCW 9.35.020, the crime will be considered to have  
5 been committed in any locality where the person whose means of  
6 identification or financial information was appropriated resides, or in  
7 which any part of the offense took place, regardless of whether the  
8 defendant was ever actually in that locality.

9 (4) Unlawful factoring of a credit card transaction is a class C  
10 felony.

11 **Sec. 5.** RCW 9A.60.020 and 1975-'76 2nd ex.s. c 38 s 13 are each  
12 amended to read as follows:

13 (1) A person is guilty of forgery if, with intent to injure or  
14 defraud:

15 (a) He falsely makes, completes, or alters a written instrument or;

16 (b) He possesses, utters, offers, disposes of, or puts off as true  
17 a written instrument which he knows to be forged.

18 (2) In a proceeding under this section that is related to an  
19 identity theft under RCW 9.35.020, the crime will be considered to have  
20 been committed in any locality where the person whose means of  
21 identification or financial information was appropriated resides, or in  
22 which any part of the offense took place, regardless of whether the  
23 defendant was ever actually in that locality.

24 (3) Forgery is a class C felony.

25 **Sec. 6.** RCW 9A.82.010 and 2001 c 222 s 3 and 2001 c 217 s 11 are  
26 each reenacted and amended to read as follows:

27 Unless the context requires the contrary, the definitions in this  
28 section apply throughout this chapter.

29 (1)(a) "Beneficial interest" means:

30 (i) The interest of a person as a beneficiary under a trust  
31 established under Title 11 RCW in which the trustee for the trust holds  
32 legal or record title to real property;

33 (ii) The interest of a person as a beneficiary under any other  
34 trust arrangement under which a trustee holds legal or record title to  
35 real property for the benefit of the beneficiary; or

1 (iii) The interest of a person under any other form of express  
2 fiduciary arrangement under which one person holds legal or record  
3 title to real property for the benefit of the other person.

4 (b) "Beneficial interest" does not include the interest of a  
5 stockholder in a corporation or the interest of a partner in a general  
6 partnership or limited partnership.

7 (c) A beneficial interest is considered to be located where the  
8 real property owned by the trustee is located.

9 (2) "Control" means the possession of a sufficient interest to  
10 permit substantial direction over the affairs of an enterprise.

11 (3) "Creditor" means a person making an extension of credit or a  
12 person claiming by, under, or through a person making an extension of  
13 credit.

14 (4) "Criminal profiteering" means any act, including any  
15 anticipatory or completed offense, committed for financial gain, that  
16 is chargeable or indictable under the laws of the state in which the  
17 act occurred and, if the act occurred in a state other than this state,  
18 would be chargeable or indictable under the laws of this state had the  
19 act occurred in this state and punishable as a felony and by  
20 imprisonment for more than one year, regardless of whether the act is  
21 charged or indicted, as any of the following:

22 (a) Murder, as defined in RCW 9A.32.030 and 9A.32.050;

23 (b) Robbery, as defined in RCW 9A.56.200 and 9A.56.210;

24 (c) Kidnapping, as defined in RCW 9A.40.020 and 9A.40.030;

25 (d) Forgery, as defined in RCW 9A.60.020 and 9A.60.030;

26 (e) Theft, as defined in RCW 9A.56.030, 9A.56.040, 9A.56.060, and  
27 9A.56.080;

28 (f) Unlawful sale of subscription television services, as defined  
29 in RCW 9A.56.230;

30 (g) Theft of telecommunication services or unlawful manufacture of  
31 a telecommunication device, as defined in RCW 9A.56.262 and 9A.56.264;

32 (h) Child selling or child buying, as defined in RCW 9A.64.030;

33 (i) Bribery, as defined in RCW 9A.68.010, 9A.68.020, 9A.68.040, and  
34 9A.68.050;

35 (j) Gambling, as defined in RCW 9.46.220 and 9.46.215 and 9.46.217;

36 (k) Extortion, as defined in RCW 9A.56.120 and 9A.56.130;

37 (l) Unlawful production of payment instruments, unlawful possession  
38 of payment instruments, unlawful possession of a personal



1 identification device, unlawful possession of fictitious  
2 identification, or unlawful possession of instruments of financial  
3 fraud, as defined in section 1 of this act;

4 (m) Extortionate extension of credit, as defined in RCW 9A.82.020;  
5 ~~((+m))~~ (n) Advancing money for use in an extortionate extension of  
6 credit, as defined in RCW 9A.82.030;

7 ~~((+n))~~ (o) Collection of an extortionate extension of credit, as  
8 defined in RCW 9A.82.040;

9 ~~((+o))~~ (p) Collection of an unlawful debt, as defined in RCW  
10 9A.82.045;

11 ~~((+p))~~ (q) Delivery or manufacture of controlled substances or  
12 possession with intent to deliver or manufacture controlled substances  
13 under chapter 69.50 RCW;

14 ~~((+q))~~ (r) Trafficking in stolen property, as defined in RCW  
15 9A.82.050;

16 ~~((+r))~~ (s) Leading organized crime, as defined in RCW 9A.82.060;

17 ~~((+s))~~ (t) Money laundering, as defined in RCW 9A.83.020;

18 ~~((+t))~~ (u) Obstructing criminal investigations or prosecutions in  
19 violation of RCW 9A.72.090, 9A.72.100, 9A.72.110, 9A.72.120, 9A.72.130,  
20 9A.76.070, or 9A.76.180;

21 ~~((+u))~~ (v) Fraud in the purchase or sale of securities, as defined  
22 in RCW 21.20.010;

23 ~~((+v))~~ (w) Promoting pornography, as defined in RCW 9.68.140;

24 ~~((+w))~~ (x) Sexual exploitation of children, as defined in RCW  
25 9.68A.040, 9.68A.050, and 9.68A.060;

26 ~~((+x))~~ (y) Promoting prostitution, as defined in RCW 9A.88.070 and  
27 9A.88.080;

28 ~~((+y))~~ (z) Arson, as defined in RCW 9A.48.020 and 9A.48.030;

29 ~~((+z))~~ (aa) Assault, as defined in RCW 9A.36.011 and 9A.36.021;

30 ~~((+aa))~~ (bb) Assault of a child, as defined in RCW 9A.36.120 and  
31 9A.36.130;

32 ~~((+bb))~~ (cc) A pattern of equity skimming, as defined in RCW  
33 61.34.020;

34 ~~((+cc))~~ (dd) Commercial telephone solicitation in violation of RCW  
35 19.158.040(1);

36 ~~((+dd))~~ (ee) Trafficking in insurance claims, as defined in RCW  
37 48.30A.015;

38 ~~((+ee))~~ (ff) Unlawful practice of law, as defined in RCW 2.48.180;

1       (~~(ff)~~) (gg) Commercial bribery, as defined in RCW 9A.68.060;  
2       (~~(gg)~~) (hh) Health care false claims, as defined in RCW  
3 48.80.030;  
4       (~~(hh)~~) (ii) Unlicensed practice of a profession or business, as  
5 defined in RCW 18.130.190(7);  
6       (~~(ii)~~) (jj) Improperly obtaining financial information, as  
7 defined in RCW 9.35.010; or  
8       (~~(jj)~~) (kk) Identity theft, as defined in RCW 9.35.020.  
9       (5) "Dealer in property" means a person who buys and sells property  
10 as a business.  
11       (6) "Debtor" means a person to whom an extension of credit is made  
12 or a person who guarantees the repayment of an extension of credit or  
13 in any manner undertakes to indemnify the creditor against loss  
14 resulting from the failure of a person to whom an extension is made to  
15 repay the same.  
16       (7) "Documentary material" means any book, paper, document,  
17 writing, drawing, graph, chart, photograph, phonograph record, magnetic  
18 tape, computer printout, other data compilation from which information  
19 can be obtained or from which information can be translated into usable  
20 form, or other tangible item.  
21       (8) "Enterprise" includes any individual, sole proprietorship,  
22 partnership, corporation, business trust, or other profit or nonprofit  
23 legal entity, and includes any union, association, or group of  
24 individuals associated in fact although not a legal entity, and both  
25 illicit and licit enterprises and governmental and nongovernmental  
26 entities.  
27       (9) "Extortionate extension of credit" means an extension of credit  
28 with respect to which it is the understanding of the creditor and the  
29 debtor at the time the extension is made that delay in making repayment  
30 or failure to make repayment could result in the use of violence or  
31 other criminal means to cause harm to the person, reputation, or  
32 property of any person.  
33       (10) "Extortionate means" means the use, or an express or implicit  
34 threat of use, of violence or other criminal means to cause harm to the  
35 person, reputation, or property of any person.  
36       (11) "Financial institution" means any bank, trust company, savings  
37 and loan association, savings bank, mutual savings bank, credit union,

1 or loan company under the jurisdiction of the state or an agency of the  
2 United States.

3 (12) "Pattern of criminal profiteering activity" means engaging in  
4 at least three acts of criminal profiteering, one of which occurred  
5 after July 1, 1985, and the last of which occurred within five years,  
6 excluding any period of imprisonment, after the commission of the  
7 earliest act of criminal profiteering. In order to constitute a  
8 pattern, the three acts must have the same or similar intent, results,  
9 accomplices, principals, victims, or methods of commission, or be  
10 otherwise interrelated by distinguishing characteristics including a  
11 nexus to the same enterprise, and must not be isolated events.  
12 However, in any civil proceedings brought pursuant to RCW 9A.82.100 by  
13 any person other than the attorney general or county prosecuting  
14 attorney in which one or more acts of fraud in the purchase or sale of  
15 securities are asserted as acts of criminal profiteering activity, it  
16 is a condition to civil liability under RCW 9A.82.100 that the  
17 defendant has been convicted in a criminal proceeding of fraud in the  
18 purchase or sale of securities under RCW 21.20.400 or under the laws of  
19 another state or of the United States requiring the same elements of  
20 proof, but such conviction need not relate to any act or acts asserted  
21 as acts of criminal profiteering activity in such civil action under  
22 RCW 9A.82.100.

23 (13) "Real property" means any real property or interest in real  
24 property, including but not limited to a land sale contract, lease, or  
25 mortgage of real property.

26 (14) "Records" means any book, paper, writing, record, computer  
27 program, or other material.

28 (15) "Repayment of an extension of credit" means the repayment,  
29 satisfaction, or discharge in whole or in part of a debt or claim,  
30 acknowledged or disputed, valid or invalid, resulting from or in  
31 connection with that extension of credit.

32 (16) "Stolen property" means property that has been obtained by  
33 theft, robbery, or extortion.

34 (17) "To collect an extension of credit" means to induce in any way  
35 a person to make repayment thereof.

36 (18) "To extend credit" means to make or renew a loan or to enter  
37 into an agreement, tacit or express, whereby the repayment or

1 satisfaction of a debt or claim, whether acknowledged or disputed,  
2 valid or invalid, and however arising, may or shall be deferred.

3 (19) "Traffic" means to sell, transfer, distribute, dispense, or  
4 otherwise dispose of stolen property to another person, or to buy,  
5 receive, possess, or obtain control of stolen property, with intent to  
6 sell, transfer, distribute, dispense, or otherwise dispose of the  
7 property to another person.

8 (20)(a) "Trustee" means:

9 (i) A person acting as a trustee under a trust established under  
10 Title 11 RCW in which the trustee holds legal or record title to real  
11 property;

12 (ii) A person who holds legal or record title to real property in  
13 which another person has a beneficial interest; or

14 (iii) A successor trustee to a person who is a trustee under (a)(i)  
15 or (ii) of this subsection.

16 (b) "Trustee" does not mean a person appointed or acting as:

17 (i) A personal representative under Title 11 RCW;

18 (ii) A trustee of any testamentary trust;

19 (iii) A trustee of any indenture of trust under which a bond is  
20 issued; or

21 (iv) A trustee under a deed of trust.

22 (21) "Unlawful debt" means any money or other thing of value  
23 constituting principal or interest of a debt that is legally  
24 unenforceable in the state in full or in part because the debt was  
25 incurred or contracted:

26 (a) In violation of any one of the following:

27 (i) Chapter 67.16 RCW relating to horse racing;

28 (ii) Chapter 9.46 RCW relating to gambling;

29 (b) In a gambling activity in violation of federal law; or

30 (c) In connection with the business of lending money or a thing of  
31 value at a rate that is at least twice the permitted rate under the  
32 applicable state or federal law relating to usury.

33 **Sec. 7.** RCW 9.94A.515 and 2002 c 340 s 2, 2002 c 324 s 2, 2002 c  
34 290 s 2, 2002 c 253 s 4, 2002 c 229 s 2, 2002 c 134 s 2, and 2002 c 133  
35 s 4 are each reenacted and amended to read as follows:

TABLE 2

CRIMES INCLUDED WITHIN  
EACH SERIOUSNESS LEVEL

XVI	Aggravated Murder 1 (RCW 10.95.020)
XV	Homicide by abuse (RCW 9A.32.055) Malicious explosion 1 (RCW 70.74.280(1)) Murder 1 (RCW 9A.32.030)
XIV	Murder 2 (RCW 9A.32.050)
XIII	Malicious explosion 2 (RCW 70.74.280(2)) Malicious placement of an explosive 1 (RCW 70.74.270(1))
XII	Assault 1 (RCW 9A.36.011) Assault of a Child 1 (RCW 9A.36.120) Malicious placement of an imitation device 1 (RCW 70.74.272(1)(a)) Rape 1 (RCW 9A.44.040) Rape of a Child 1 (RCW 9A.44.073)
XI	Manslaughter 1 (RCW 9A.32.060) Rape 2 (RCW 9A.44.050) Rape of a Child 2 (RCW 9A.44.076)
X	Child Molestation 1 (RCW 9A.44.083) Indecent Liberties (with forcible compulsion) (RCW 9A.44.100(1)(a)) Kidnapping 1 (RCW 9A.40.020) Leading Organized Crime (RCW 9A.82.060(1)(a)) Malicious explosion 3 (RCW 70.74.280(3)) Manufacture of methamphetamine (RCW 69.50.401(a)(1)(ii))

1 Over 18 and deliver heroin,  
2 methamphetamine, a narcotic  
3 from Schedule I or II, or  
4 flunitrazepam from Schedule IV  
5 to someone under 18 (RCW  
6 69.50.406)  
7 Sexually Violent Predator Escape  
8 (RCW 9A.76.115)  
9 IX Assault of a Child 2 (RCW 9A.36.130)  
10 Controlled Substance Homicide (RCW  
11 69.50.415)  
12 Explosive devices prohibited (RCW  
13 70.74.180)  
14 Hit and Run--Death (RCW  
15 46.52.020(4)(a))  
16 Homicide by Watercraft, by being  
17 under the influence of intoxicating  
18 liquor or any drug (RCW  
19 79A.60.050)  
20 Inciting Criminal Profiteering (RCW  
21 9A.82.060(1)(b))  
22 Malicious placement of an explosive 2  
23 (RCW 70.74.270(2))  
24 Over 18 and deliver narcotic from  
25 Schedule III, IV, or V or a  
26 nonnarcotic, except flunitrazepam  
27 or methamphetamine, from  
28 Schedule I-V to someone under 18  
29 and 3 years junior (RCW  
30 69.50.406)  
31 Robbery 1 (RCW 9A.56.200)  
32 Sexual Exploitation (RCW 9.68A.040)  
33 Vehicular Homicide, by being under  
34 the influence of intoxicating  
35 liquor or any drug (RCW  
36 46.61.520)  
37 VIII Arson 1 (RCW 9A.48.020)

1 Deliver or possess with intent to  
2 deliver methamphetamine (RCW  
3 69.50.401(a)(1)(ii))  
4 Homicide by Watercraft, by the  
5 operation of any vessel in a  
6 reckless manner (RCW  
7 79A.60.050)  
8 Manslaughter 2 (RCW 9A.32.070)  
9 Manufacture, deliver, or possess with  
10 intent to deliver amphetamine  
11 (RCW 69.50.401(a)(1)(ii))  
12 Manufacture, deliver, or possess with  
13 intent to deliver heroin or cocaine  
14 (when the offender has a criminal  
15 history in this state or any other  
16 state that includes a sex offense or  
17 serious violent offense or the  
18 Washington equivalent) (RCW  
19 69.50.401(a)(1)(i))  
20 Possession of Ephedrine or any of its  
21 Salts or Isomers or Salts of  
22 Isomers, Pseudoephedrine or any  
23 of its Salts or Isomers or Salts of  
24 Isomers, Pressurized Ammonia  
25 Gas, or Pressurized Ammonia Gas  
26 Solution with intent to  
27 manufacture methamphetamine  
28 (RCW 69.50.440)  
29 Promoting Prostitution 1 (RCW  
30 9A.88.070)  
31 Selling for profit (controlled or  
32 counterfeit) any controlled  
33 substance (RCW 69.50.410)  
34 Theft of Ammonia (RCW 69.55.010)  
35 Vehicular Homicide, by the operation  
36 of any vehicle in a reckless  
37 manner (RCW 46.61.520)

1 VII Burglary 1 (RCW 9A.52.020)  
2 Child Molestation 2 (RCW 9A.44.086)  
3 Civil Disorder Training (RCW  
4 9A.48.120)  
5 Dealing in depictions of minor  
6 engaged in sexually explicit  
7 conduct (RCW 9.68A.050)  
8 Drive-by Shooting (RCW 9A.36.045)  
9 Homicide by Watercraft, by disregard  
10 for the safety of others (RCW  
11 79A.60.050)  
12 Indecent Liberties (without forcible  
13 compulsion) (RCW 9A.44.100(1)  
14 (b) and (c))  
15 Introducing Contraband 1 (RCW  
16 9A.76.140)  
17 Involving a minor in drug dealing  
18 (RCW 69.50.401(f))  
19 Malicious placement of an explosive 3  
20 (RCW 70.74.270(3))  
21 Manufacture, deliver, or possess with  
22 intent to deliver heroin or cocaine  
23 (except when the offender has a  
24 criminal history in this state or  
25 any other state that includes a sex  
26 offense or serious violent offense  
27 or the Washington equivalent)  
28 (RCW 69.50.401(a)(1)(i))  
29 Sending, bringing into state depictions  
30 of minor engaged in sexually  
31 explicit conduct (RCW  
32 9.68A.060)  
33 Unlawful Possession of a Firearm in  
34 the first degree (RCW  
35 9.41.040(1)(a))  
36 Use of a Machine Gun in Commission  
37 of a Felony (RCW 9.41.225)



1 Vehicular Homicide, by disregard for  
2 the safety of others (RCW  
3 46.61.520)

4 VI Bail Jumping with Murder 1 (RCW  
5 9A.76.170(3)(a))  
6 Bribery (RCW 9A.68.010)  
7 Incest 1 (RCW 9A.64.020(1))  
8 Intimidating a Judge (RCW  
9 9A.72.160)  
10 Intimidating a Juror/Witness (RCW  
11 9A.72.110, 9A.72.130)  
12 Malicious placement of an imitation  
13 device 2 (RCW 70.74.272(1)(b))  
14 Manufacture, deliver, or possess with  
15 intent to deliver narcotics from  
16 Schedule I or II (except heroin or  
17 cocaine) or flunitrazepam from  
18 Schedule IV (RCW  
19 69.50.401(a)(1)(i))  
20 Rape of a Child 3 (RCW 9A.44.079)  
21 Theft of a Firearm (RCW 9A.56.300)  
22 Unlawful Storage of Ammonia (RCW  
23 69.55.020)

24 V Abandonment of dependent person 1  
25 (RCW 9A.42.060)  
26 Advancing money or property for  
27 extortionate extension of credit  
28 (RCW 9A.82.030)  
29 Bail Jumping with class A Felony  
30 (RCW 9A.76.170(3)(b))  
31 Child Molestation 3 (RCW 9A.44.089)  
32 Criminal Mistreatment 1 (RCW  
33 9A.42.020)  
34 Custodial Sexual Misconduct 1 (RCW  
35 9A.44.160)

1 Delivery of imitation controlled  
2 substance by person eighteen or  
3 over to person under eighteen  
4 (RCW 69.52.030(2))  
5 Domestic Violence Court Order  
6 Violation (RCW 10.99.040,  
7 10.99.050, 26.09.300, 26.10.220,  
8 26.26.138, 26.50.110, 26.52.070,  
9 or 74.34.145)  
10 Extortion 1 (RCW 9A.56.120)  
11 Extortionate Extension of Credit  
12 (RCW 9A.82.020)  
13 Extortionate Means to Collect  
14 Extensions of Credit (RCW  
15 9A.82.040)  
16 Incest 2 (RCW 9A.64.020(2))  
17 Kidnapping 2 (RCW 9A.40.030)  
18 Perjury 1 (RCW 9A.72.020)  
19 Persistent prison misbehavior (RCW  
20 9.94.070)  
21 Possession of a Stolen Firearm (RCW  
22 9A.56.310)  
23 Rape 3 (RCW 9A.44.060)  
24 Rendering Criminal Assistance 1  
25 (RCW 9A.76.070)  
26 Sexual Misconduct with a Minor 1  
27 (RCW 9A.44.093)  
28 Sexually Violating Human Remains  
29 (RCW 9A.44.105)  
30 Stalking (RCW 9A.46.110)  
31 Taking Motor Vehicle Without  
32 Permission 1 (RCW  
33 9A.56.070(1))  
34 IV Arson 2 (RCW 9A.48.030)  
35 Assault 2 (RCW 9A.36.021)  
36 Assault by Watercraft (RCW  
37 79A.60.060)

1 Bribing a Witness/Bribe Received by  
2 Witness (RCW 9A.72.090,  
3 9A.72.100)  
4 Cheating 1 (RCW 9.46.1961)  
5 Commercial Bribery (RCW  
6 9A.68.060)  
7 Counterfeiting (RCW 9.16.035(4))  
8 Endangerment with a Controlled  
9 Substance (RCW 9A.42.100)  
10 Escape 1 (RCW 9A.76.110)  
11 Hit and Run--Injury (RCW  
12 46.52.020(4)(b))  
13 Hit and Run with Vessel--Injury  
14 Accident (RCW 79A.60.200(3))  
15 Identity Theft 1 (RCW 9.35.020(2)(a))  
16 Indecent Exposure to Person Under  
17 Age Fourteen (subsequent sex  
18 offense) (RCW 9A.88.010)  
19 Influencing Outcome of Sporting  
20 Event (RCW 9A.82.070)  
21 Knowingly Trafficking in Stolen  
22 Property (RCW 9A.82.050(2))  
23 Malicious Harassment (RCW  
24 9A.36.080)  
25 Manufacture, deliver, or possess with  
26 intent to deliver narcotics from  
27 Schedule III, IV, or V or  
28 nonnarcotics from Schedule I-V  
29 (except marijuana, amphetamine,  
30 methamphetamines, or  
31 flunitrazepam) (RCW  
32 69.50.401(a)(1) (iii) through (v))  
33 Residential Burglary (RCW  
34 9A.52.025)  
35 Robbery 2 (RCW 9A.56.210)  
36 Theft of Livestock 1 (RCW 9A.56.080)  
37 Threats to Bomb (RCW 9.61.160)

1 Use of Proceeds of Criminal  
2 Profiteering (RCW 9A.82.080 (1)  
3 and (2))  
4 Vehicular Assault, by being under the  
5 influence of intoxicating liquor or  
6 any drug, or by the operation or  
7 driving of a vehicle in a reckless  
8 manner (RCW 46.61.522)  
9 Willful Failure to Return from  
10 Furlough (RCW 72.66.060)  
11 III Abandonment of dependent person 2  
12 (RCW 9A.42.070)  
13 Assault 3 (RCW 9A.36.031)  
14 Assault of a Child 3 (RCW 9A.36.140)  
15 Bail Jumping with class B or C Felony  
16 (RCW 9A.76.170(3)(c))  
17 Burglary 2 (RCW 9A.52.030)  
18 Communication with a Minor for  
19 Immoral Purposes (RCW  
20 9.68A.090)  
21 Criminal Gang Intimidation (RCW  
22 9A.46.120)  
23 Criminal Mistreatment 2 (RCW  
24 9A.42.030)  
25 Custodial Assault (RCW 9A.36.100)  
26 Delivery of a material in lieu of a  
27 controlled substance (RCW  
28 69.50.401(c))  
29 Escape 2 (RCW 9A.76.120)  
30 Extortion 2 (RCW 9A.56.130)  
31 Harassment (RCW 9A.46.020)  
32 Intimidating a Public Servant (RCW  
33 9A.76.180)  
34 Introducing Contraband 2 (RCW  
35 9A.76.150)

1 Maintaining a Dwelling or Place for  
2 Controlled Substances (RCW  
3 69.50.402(a)(6))  
4 Malicious Injury to Railroad Property  
5 (RCW 81.60.070)  
6 Manufacture, deliver, or possess with  
7 intent to deliver marijuana (RCW  
8 69.50.401(a)(1)(iii))  
9 Manufacture, distribute, or possess  
10 with intent to distribute an  
11 imitation controlled substance  
12 (RCW 69.52.030(1))  
13 Patronizing a Juvenile Prostitute  
14 (RCW 9.68A.100)  
15 Perjury 2 (RCW 9A.72.030)  
16 Possession of Incendiary Device (RCW  
17 9.40.120)  
18 Possession of Machine Gun or Short-  
19 Barreled Shotgun or Rifle (RCW  
20 9.41.190)  
21 Promoting Prostitution 2 (RCW  
22 9A.88.080)  
23 Recklessly Trafficking in Stolen  
24 Property (RCW 9A.82.050(1))  
25 Securities Act violation (RCW  
26 21.20.400)  
27 Tampering with a Witness (RCW  
28 9A.72.120)  
29 Telephone Harassment (subsequent  
30 conviction or threat of death)  
31 (RCW 9.61.230)  
32 Theft of Livestock 2 (RCW 9A.56.080)  
33 Unlawful Imprisonment (RCW  
34 9A.40.040)  
35 Unlawful possession of firearm in the  
36 second degree (RCW  
37 9.41.040(1)(b))

1 Unlawful Use of Building for Drug  
2 Purposes (RCW 69.53.010)  
3 Vehicular Assault, by the operation or  
4 driving of a vehicle with disregard  
5 for the safety of others (RCW  
6 46.61.522)  
7 Willful Failure to Return from Work  
8 Release (RCW 72.65.070)  
9 II Computer Trespass 1 (RCW  
10 9A.52.110)  
11 Counterfeiting (RCW 9.16.035(3))  
12 Create, deliver, or possess a counterfeit  
13 controlled substance (RCW  
14 69.50.401(b))  
15 Escape from Community Custody  
16 (RCW 72.09.310)  
17 Health Care False Claims (RCW  
18 48.80.030)  
19 Identity Theft 2 (RCW 9.35.020(2)(b))  
20 Improperly Obtaining Financial  
21 Information (RCW 9.35.010)  
22 Malicious Mischief 1 (RCW  
23 9A.48.070)  
24 Possession of controlled substance that  
25 is either heroin or narcotics from  
26 Schedule I or II or flunitrazepam  
27 from Schedule IV (RCW  
28 69.50.401(d))  
29 Possession of phencyclidine (PCP)  
30 (RCW 69.50.401(d))  
31 Possession of Stolen Property 1 (RCW  
32 9A.56.150)  
33 Theft 1 (RCW 9A.56.030)  
34 Theft of Rental, Leased, or Lease-  
35 purchased Property (valued at one  
36 thousand five hundred dollars or  
37 more) (RCW 9A.56.096(4))

1 Trafficking in Insurance Claims (RCW  
2 48.30A.015)  
3 Unlawful Practice of Law (RCW  
4 2.48.180)  
5 Unlicensed Practice of a Profession or  
6 Business (RCW 18.130.190(7))  
7 I Attempting to Elude a Pursuing Police  
8 Vehicle (RCW 46.61.024)  
9 False Verification for Welfare (RCW  
10 74.08.055)  
11 Forged Prescription (RCW 69.41.020)  
12 Forged Prescription for a Controlled  
13 Substance (RCW 69.50.403)  
14 Forgery (RCW 9A.60.020)  
15 Malicious Mischief 2 (RCW  
16 9A.48.080)  
17 Possess Controlled Substance that is a  
18 Narcotic from Schedule III, IV, or  
19 V or Non-narcotic from Schedule  
20 I-V (except phencyclidine or  
21 flunitrazepam) (RCW  
22 69.50.401(d))  
23 Possession of Stolen Property 2 (RCW  
24 9A.56.160)  
25 Reckless Burning 1 (RCW 9A.48.040)  
26 Taking Motor Vehicle Without  
27 Permission 2 (RCW  
28 9A.56.070(2))  
29 Theft 2 (RCW 9A.56.040)  
30 Theft of Rental, Leased, or Lease-  
31 purchased Property (valued at two  
32 hundred fifty dollars or more but  
33 less than one thousand five  
34 hundred dollars) (RCW  
35 9A.56.096(4))  
36 Unlawful Issuance of Checks or Drafts  
37 (RCW 9A.56.060)

1 Unlawful Possession of Fictitious  
2 Identification (section 1 of this  
3 act)  
4 Unlawful Possession of Instruments of  
5 Financial Fraud (section 1 of this  
6 act)  
7 Unlawful Possession of Payment  
8 Instruments (section 1 of this act)  
9 Unlawful Possession of a Personal  
10 Identification Device (section 1 of  
11 this act)  
12 Unlawful Production of Payment  
13 Instruments (section 1 of this act)  
14 Unlawful Use of Food Stamps (RCW  
15 9.91.140 (2) and (3))  
16 Vehicle Prowl 1 (RCW 9A.52.095)

17 **Sec. 8.** RCW 9.94A.515 and 2002 c 340 s 2, 2002 c 324 s 2, 2002 c  
18 290 s 7, 2002 c 253 s 4, 2002 c 229 s 2, 2002 c 134 s 2, and 2002 c 133  
19 s 4 are each reenacted and amended to read as follows:

20 TABLE 2  
21 CRIMES INCLUDED WITHIN  
22 EACH SERIOUSNESS LEVEL

23 XVI	Aggravated Murder 1 (RCW 24 10.95.020)
25 XV	Homicide by abuse (RCW 9A.32.055) 26 Malicious explosion 1 (RCW 27 70.74.280(1)) 28 Murder 1 (RCW 9A.32.030)
29 XIV	Murder 2 (RCW 9A.32.050)
30 XIII	Malicious explosion 2 (RCW 31 70.74.280(2)) 32 Malicious placement of an explosive 1 33 (RCW 70.74.270(1))
34 XII	Assault 1 (RCW 9A.36.011) 35 Assault of a Child 1 (RCW 9A.36.120)



1 Malicious placement of an imitation  
2 device 1 (RCW 70.74.272(1)(a))  
3 Rape 1 (RCW 9A.44.040)  
4 Rape of a Child 1 (RCW 9A.44.073)  
5 XI Manslaughter 1 (RCW 9A.32.060)  
6 Rape 2 (RCW 9A.44.050)  
7 Rape of a Child 2 (RCW 9A.44.076)  
8 X Child Molestation 1 (RCW 9A.44.083)  
9 Indecent Liberties (with forcible  
10 compulsion) (RCW  
11 9A.44.100(1)(a))  
12 Kidnapping 1 (RCW 9A.40.020)  
13 Leading Organized Crime (RCW  
14 9A.82.060(1)(a))  
15 Malicious explosion 3 (RCW  
16 70.74.280(3))  
17 Sexually Violent Predator Escape  
18 (RCW 9A.76.115)  
19 IX Assault of a Child 2 (RCW 9A.36.130)  
20 Explosive devices prohibited (RCW  
21 70.74.180)  
22 Hit and Run--Death (RCW  
23 46.52.020(4)(a))  
24 Homicide by Watercraft, by being  
25 under the influence of intoxicating  
26 liquor or any drug (RCW  
27 79A.60.050)  
28 Inciting Criminal Profiteering (RCW  
29 9A.82.060(1)(b))  
30 Malicious placement of an explosive 2  
31 (RCW 70.74.270(2))  
32 Robbery 1 (RCW 9A.56.200)  
33 Sexual Exploitation (RCW 9.68A.040)  
34 Vehicular Homicide, by being under  
35 the influence of intoxicating  
36 liquor or any drug (RCW  
37 46.61.520)

1 VIII Arson 1 (RCW 9A.48.020)  
2 Homicide by Watercraft, by the  
3 operation of any vessel in a  
4 reckless manner (RCW  
5 79A.60.050)  
6 Manslaughter 2 (RCW 9A.32.070)  
7 Promoting Prostitution 1 (RCW  
8 9A.88.070)  
9 Theft of Ammonia (RCW 69.55.010)  
10 Vehicular Homicide, by the operation  
11 of any vehicle in a reckless  
12 manner (RCW 46.61.520)  
13 VII Burglary 1 (RCW 9A.52.020)  
14 Child Molestation 2 (RCW 9A.44.086)  
15 Civil Disorder Training (RCW  
16 9A.48.120)  
17 Dealing in depictions of minor  
18 engaged in sexually explicit  
19 conduct (RCW 9.68A.050)  
20 Drive-by Shooting (RCW 9A.36.045)  
21 Homicide by Watercraft, by disregard  
22 for the safety of others (RCW  
23 79A.60.050)  
24 Indecent Liberties (without forcible  
25 compulsion) (RCW 9A.44.100(1)  
26 (b) and (c))  
27 Introducing Contraband 1 (RCW  
28 9A.76.140)  
29 Malicious placement of an explosive 3  
30 (RCW 70.74.270(3))  
31 Sending, bringing into state depictions  
32 of minor engaged in sexually  
33 explicit conduct (RCW  
34 9.68A.060)  
35 Unlawful Possession of a Firearm in  
36 the first degree (RCW  
37 9.41.040(1)(a))

1 Use of a Machine Gun in Commission  
2 of a Felony (RCW 9A.41.225)  
3 Vehicular Homicide, by disregard for  
4 the safety of others (RCW  
5 46.61.520)  
6 VI Bail Jumping with Murder 1 (RCW  
7 9A.76.170(3)(a))  
8 Bribery (RCW 9A.68.010)  
9 Incest 1 (RCW 9A.64.020(1))  
10 Intimidating a Judge (RCW  
11 9A.72.160)  
12 Intimidating a Juror/Witness (RCW  
13 9A.72.110, 9A.72.130)  
14 Malicious placement of an imitation  
15 device 2 (RCW 70.74.272(1)(b))  
16 Rape of a Child 3 (RCW 9A.44.079)  
17 Theft of a Firearm (RCW 9A.56.300)  
18 Unlawful Storage of Ammonia (RCW  
19 69.55.020)  
20 V Abandonment of dependent person 1  
21 (RCW 9A.42.060)  
22 Advancing money or property for  
23 extortionate extension of credit  
24 (RCW 9A.82.030)  
25 Bail Jumping with class A Felony  
26 (RCW 9A.76.170(3)(b))  
27 Child Molestation 3 (RCW 9A.44.089)  
28 Criminal Mistreatment 1 (RCW  
29 9A.42.020)  
30 Custodial Sexual Misconduct 1 (RCW  
31 9A.44.160)  
32 Domestic Violence Court Order  
33 Violation (RCW 10.99.040,  
34 10.99.050, 26.09.300, 26.10.220,  
35 26.26.138, 26.50.110, 26.52.070,  
36 or 74.34.145)  
37 Extortion 1 (RCW 9A.56.120)

1 Extortionate Extension of Credit  
2 (RCW 9A.82.020)  
3 Extortionate Means to Collect  
4 Extensions of Credit (RCW  
5 9A.82.040)  
6 Incest 2 (RCW 9A.64.020(2))  
7 Kidnapping 2 (RCW 9A.40.030)  
8 Perjury 1 (RCW 9A.72.020)  
9 Persistent prison misbehavior (RCW  
10 9.94.070)  
11 Possession of a Stolen Firearm (RCW  
12 9A.56.310)  
13 Rape 3 (RCW 9A.44.060)  
14 Rendering Criminal Assistance 1  
15 (RCW 9A.76.070)  
16 Sexual Misconduct with a Minor 1  
17 (RCW 9A.44.093)  
18 Sexually Violating Human Remains  
19 (RCW 9A.44.105)  
20 Stalking (RCW 9A.46.110)  
21 Taking Motor Vehicle Without  
22 Permission 1 (RCW  
23 9A.56.070(1))  
24 IV Arson 2 (RCW 9A.48.030)  
25 Assault 2 (RCW 9A.36.021)  
26 Assault by Watercraft (RCW  
27 79A.60.060)  
28 Bribing a Witness/Bribe Received by  
29 Witness (RCW 9A.72.090,  
30 9A.72.100)  
31 Cheating 1 (RCW 9.46.1961)  
32 Commercial Bribery (RCW  
33 9A.68.060)  
34 Counterfeiting (RCW 9.16.035(4))  
35 Endangerment with a Controlled  
36 Substance (RCW 9A.42.100)  
37 Escape 1 (RCW 9A.76.110)

1 Hit and Run--Injury (RCW  
2 46.52.020(4)(b))  
3 Hit and Run with Vessel--Injury  
4 Accident (RCW 79A.60.200(3))  
5 Identity Theft 1 (RCW 9.35.020(2)(a))  
6 Indecent Exposure to Person Under  
7 Age Fourteen (subsequent sex  
8 offense) (RCW 9A.88.010)  
9 Influencing Outcome of Sporting  
10 Event (RCW 9A.82.070)  
11 Knowingly Trafficking in Stolen  
12 Property (RCW 9A.82.050(2))  
13 Malicious Harassment (RCW  
14 9A.36.080)  
15 Residential Burglary (RCW  
16 9A.52.025)  
17 Robbery 2 (RCW 9A.56.210)  
18 Theft of Livestock 1 (RCW 9A.56.080)  
19 Threats to Bomb (RCW 9.61.160)  
20 Use of Proceeds of Criminal  
21 Profiteering (RCW 9A.82.080 (1)  
22 and (2))  
23 Vehicular Assault, by being under the  
24 influence of intoxicating liquor or  
25 any drug, or by the operation or  
26 driving of a vehicle in a reckless  
27 manner (RCW 46.61.522)  
28 Willful Failure to Return from  
29 Furlough (RCW 72.66.060)  
30 III Abandonment of dependent person 2  
31 (RCW 9A.42.070)  
32 Assault 3 (RCW 9A.36.031)  
33 Assault of a Child 3 (RCW 9A.36.140)  
34 Bail Jumping with class B or C Felony  
35 (RCW 9A.76.170(3)(c))  
36 Burglary 2 (RCW 9A.52.030)

1 Communication with a Minor for  
2 Immoral Purposes (RCW  
3 9.68A.090)  
4 Criminal Gang Intimidation (RCW  
5 9A.46.120)  
6 Criminal Mistreatment 2 (RCW  
7 9A.42.030)  
8 Custodial Assault (RCW 9A.36.100)  
9 Escape 2 (RCW 9A.76.120)  
10 Extortion 2 (RCW 9A.56.130)  
11 Harassment (RCW 9A.46.020)  
12 Intimidating a Public Servant (RCW  
13 9A.76.180)  
14 Introducing Contraband 2 (RCW  
15 9A.76.150)  
16 Malicious Injury to Railroad Property  
17 (RCW 81.60.070)  
18 Patronizing a Juvenile Prostitute  
19 (RCW 9.68A.100)  
20 Perjury 2 (RCW 9A.72.030)  
21 Possession of Incendiary Device (RCW  
22 9.40.120)  
23 Possession of Machine Gun or Short-  
24 Barreled Shotgun or Rifle (RCW  
25 9.41.190)  
26 Promoting Prostitution 2 (RCW  
27 9A.88.080)  
28 Recklessly Trafficking in Stolen  
29 Property (RCW 9A.82.050(1))  
30 Securities Act violation (RCW  
31 21.20.400)  
32 Tampering with a Witness (RCW  
33 9A.72.120)  
34 Telephone Harassment (subsequent  
35 conviction or threat of death)  
36 (RCW 9.61.230)  
37 Theft of Livestock 2 (RCW 9A.56.080)

1 Unlawful Imprisonment (RCW  
2 9A.40.040)  
3 Unlawful possession of firearm in the  
4 second degree (RCW  
5 9.41.040(1)(b))  
6 Vehicular Assault, by the operation or  
7 driving of a vehicle with disregard  
8 for the safety of others (RCW  
9 46.61.522)  
10 Willful Failure to Return from Work  
11 Release (RCW 72.65.070)  
12 II Computer Trespass 1 (RCW  
13 9A.52.110)  
14 Counterfeiting (RCW 9.16.035(3))  
15 Escape from Community Custody  
16 (RCW 72.09.310)  
17 Health Care False Claims (RCW  
18 48.80.030)  
19 Identity Theft 2 (RCW 9.35.020(2)(b))  
20 Improperly Obtaining Financial  
21 Information (RCW 9.35.010)  
22 Malicious Mischief 1 (RCW  
23 9A.48.070)  
24 Possession of Stolen Property 1 (RCW  
25 9A.56.150)  
26 Theft 1 (RCW 9A.56.030)  
27 Theft of Rental, Leased, or Lease-  
28 purchased Property (valued at one  
29 thousand five hundred dollars or  
30 more) (RCW 9A.56.096(4))  
31 Trafficking in Insurance Claims (RCW  
32 48.30A.015)  
33 Unlawful Practice of Law (RCW  
34 2.48.180)  
35 Unlicensed Practice of a Profession or  
36 Business (RCW 18.130.190(7))

1 I Attempting to Elude a Pursuing Police  
2 Vehicle (RCW 46.61.024)  
3 False Verification for Welfare (RCW  
4 74.08.055)  
5 Forgery (RCW 9A.60.020)  
6 Malicious Mischief 2 (RCW  
7 9A.48.080)  
8 Possession of Stolen Property 2 (RCW  
9 9A.56.160)  
10 Reckless Burning 1 (RCW 9A.48.040)  
11 Taking Motor Vehicle Without  
12 Permission 2 (RCW  
13 9A.56.070(2))  
14 Theft 2 (RCW 9A.56.040)  
15 Theft of Rental, Leased, or Lease-  
16 purchased Property (valued at two  
17 hundred fifty dollars or more but  
18 less than one thousand five  
19 hundred dollars) (RCW  
20 9A.56.096(4))  
21 Unlawful Issuance of Checks or Drafts  
22 (RCW 9A.56.060)  
23 Unlawful Possession of Fictitious  
24 Identification (section 1 of this  
25 act)  
26 Unlawful Possession of Instruments of  
27 Financial Fraud (section 1 of this  
28 act)  
29 Unlawful Possession of Payment  
30 Instruments (section 1 of this act)  
31 Unlawful Possession of a Personal  
32 Identification Device (section 1 of  
33 this act)  
34 Unlawful Production of Payment  
35 Instruments (section 1 of this act)  
36 Unlawful Use of Food Stamps (RCW  
37 9.91.140 (2) and (3))



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2        NEW SECTION.   **Sec. 9.**   Section 7 of this act expires July 1, 2004.

3        NEW SECTION.   **Sec. 10.**   Section 8 of this act takes effect July 1,  
4        2004.

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