
HOUSE BILL 1334

State of Washington 59th Legislature 2005 Regular Session

By Representatives O'Brien, Pearson, Ericks, Holmquist and Simpson

Read first time 01/20/2005. Referred to Committee on Criminal Justice & Corrections.

1 AN ACT Relating to registered sex and kidnapping offenders;
2 reenacting and amending RCW 9A.44.130 and 9.94A.515; prescribing
3 penalties; providing an effective date; and declaring an emergency.

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

5 **Sec. 1.** RCW 9A.44.130 and 2003 c 215 s 1 and 2003 c 53 s 68 are
6 each reenacted and amended to read as follows:

7 (1) Any adult or juvenile residing whether or not the person has a
8 fixed residence, or who is a student, is employed, or carries on a
9 vocation in this state who has been found to have committed or has been
10 convicted of any sex offense or kidnapping offense, or who has been
11 found not guilty by reason of insanity under chapter 10.77 RCW of
12 committing any sex offense or kidnapping offense, shall register with
13 the county sheriff for the county of the person's residence, or if the
14 person is not a resident of Washington, the county of the person's
15 school, or place of employment or vocation, or as otherwise specified
16 in this section. Where a person required to register under this
17 section is in custody of the state department of corrections, the state
18 department of social and health services, a local division of youth
19 services, or a local jail or juvenile detention facility as a result of

1 a sex offense or kidnapping offense, the person shall also register at
2 the time of release from custody with an official designated by the
3 agency that has jurisdiction over the person.

4 In addition, any such adult or juvenile: (a) Who is admitted to a
5 public or private institution of higher education shall, within ten
6 days of enrolling or by the first business day after arriving at the
7 institution, whichever is earlier, notify the sheriff for the county of
8 the person's residence of the person's intent to attend the
9 institution; (b) who gains employment at a public or private
10 institution of higher education shall, within ten days of accepting
11 employment or by the first business day after commencing work at the
12 institution, whichever is earlier, notify the sheriff for the county of
13 the person's residence of the person's employment by the institution;
14 or (c) whose enrollment or employment at a public or private
15 institution of higher education is terminated shall, within ten days of
16 such termination, notify the sheriff for the county of the person's
17 residence of the person's termination of enrollment or employment at
18 the institution. Persons required to register under this section who
19 are enrolled in a public or private institution of higher education on
20 June 11, 1998, must notify the county sheriff immediately. The sheriff
21 shall notify the institution's department of public safety and shall
22 provide that department with the same information provided to a county
23 sheriff under subsection (3) of this section.

24 (2) This section may not be construed to confer any powers pursuant
25 to RCW (~~4.24.500~~) 4.24.550 upon the public safety department of any
26 public or private institution of higher education.

27 (3)(a) The person shall provide the following information when
28 registering: (i) Name; (ii) address; (iii) date and place of birth;
29 (iv) place of employment; (v) crime for which convicted; (vi) date and
30 place of conviction; (vii) aliases used; (viii) social security number;
31 (ix) photograph; and (x) fingerprints.

32 (b) Any person who lacks a fixed residence shall provide the
33 following information when registering: (i) Name; (ii) date and place
34 of birth; (iii) place of employment; (iv) crime for which convicted;
35 (v) date and place of conviction; (vi) aliases used; (vii) social
36 security number; (viii) photograph; (ix) fingerprints; and (x) where he
37 or she plans to stay.

1 (4)(a) Offenders shall register with the county sheriff within the
2 following deadlines. For purposes of this section the term
3 "conviction" refers to adult convictions and juvenile adjudications for
4 sex offenses or kidnapping offenses:

5 (i) OFFENDERS IN CUSTODY. (A) Sex offenders who committed a sex
6 offense on, before, or after February 28, 1990, and who, on or after
7 July 28, 1991, are in custody, as a result of that offense, of the
8 state department of corrections, the state department of social and
9 health services, a local division of youth services, or a local jail or
10 juvenile detention facility, and (B) kidnapping offenders who on or
11 after July 27, 1997, are in custody of the state department of
12 corrections, the state department of social and health services, a
13 local division of youth services, or a local jail or juvenile detention
14 facility, must register at the time of release from custody with an
15 official designated by the agency that has jurisdiction over the
16 offender. The agency shall within three days forward the registration
17 information to the county sheriff for the county of the offender's
18 anticipated residence. The offender must also register within twenty-
19 four hours from the time of release with the county sheriff for the
20 county of the person's residence, or if the person is not a resident of
21 Washington, the county of the person's school, or place of employment
22 or vocation. The agency that has jurisdiction over the offender shall
23 provide notice to the offender of the duty to register. Failure to
24 register at the time of release and within twenty-four hours of release
25 constitutes a violation of this section and is punishable as provided
26 in subsection (10) of this section.

27 When the agency with jurisdiction intends to release an offender
28 with a duty to register under this section, and the agency has
29 knowledge that the offender is eligible for developmental disability
30 services from the department of social and health services, the agency
31 shall notify the division of developmental disabilities of the release.
32 Notice shall occur not more than thirty days before the offender is to
33 be released. The agency and the division shall assist the offender in
34 meeting the initial registration requirement under this section.
35 Failure to provide such assistance shall not constitute a defense for
36 any violation of this section.

37 (ii) OFFENDERS NOT IN CUSTODY BUT UNDER STATE OR LOCAL
38 JURISDICTION. Sex offenders who, on July 28, 1991, are not in custody

1 but are under the jurisdiction of the indeterminate sentence review
2 board or under the department of corrections' active supervision, as
3 defined by the department of corrections, the state department of
4 social and health services, or a local division of youth services, for
5 sex offenses committed before, on, or after February 28, 1990, must
6 register within ten days of July 28, 1991. Kidnapping offenders who,
7 on July 27, 1997, are not in custody but are under the jurisdiction of
8 the indeterminate sentence review board or under the department of
9 corrections' active supervision, as defined by the department of
10 corrections, the state department of social and health services, or a
11 local division of youth services, for kidnapping offenses committed
12 before, on, or after July 27, 1997, must register within ten days of
13 July 27, 1997. A change in supervision status of a sex offender who
14 was required to register under this subsection (4)(a)(ii) as of July
15 28, 1991, or a kidnapping offender required to register as of July 27,
16 1997, shall not relieve the offender of the duty to register or to
17 reregister following a change in residence. The obligation to register
18 shall only cease pursuant to RCW 9A.44.140.

19 (iii) OFFENDERS UNDER FEDERAL JURISDICTION. Sex offenders who, on
20 or after July 23, 1995, and kidnapping offenders who, on or after July
21 27, 1997, as a result of that offense are in the custody of the United
22 States bureau of prisons or other federal or military correctional
23 agency for sex offenses committed before, on, or after February 28,
24 1990, or kidnapping offenses committed on, before, or after July 27,
25 1997, must register within twenty-four hours from the time of release
26 with the county sheriff for the county of the person's residence, or if
27 the person is not a resident of Washington, the county of the person's
28 school, or place of employment or vocation. Sex offenders who, on July
29 23, 1995, are not in custody but are under the jurisdiction of the
30 United States bureau of prisons, United States courts, United States
31 parole commission, or military parole board for sex offenses committed
32 before, on, or after February 28, 1990, must register within ten days
33 of July 23, 1995. Kidnapping offenders who, on July 27, 1997, are not
34 in custody but are under the jurisdiction of the United States bureau
35 of prisons, United States courts, United States parole commission, or
36 military parole board for kidnapping offenses committed before, on, or
37 after July 27, 1997, must register within ten days of July 27, 1997.
38 A change in supervision status of a sex offender who was required to

1 register under this subsection (4)(a)(iii) as of July 23, 1995, or a
2 kidnapping offender required to register as of July 27, 1997 shall not
3 relieve the offender of the duty to register or to reregister following
4 a change in residence, or if the person is not a resident of
5 Washington, the county of the person's school, or place of employment
6 or vocation. The obligation to register shall only cease pursuant to
7 RCW 9A.44.140.

8 (iv) OFFENDERS WHO ARE CONVICTED BUT NOT CONFINED. Sex offenders
9 who are convicted of a sex offense on or after July 28, 1991, for a sex
10 offense that was committed on or after February 28, 1990, and
11 kidnapping offenders who are convicted on or after July 27, 1997, for
12 a kidnapping offense that was committed on or after July 27, 1997, but
13 who are not sentenced to serve a term of confinement immediately upon
14 sentencing, shall report to the county sheriff to register immediately
15 upon completion of being sentenced.

16 (v) OFFENDERS WHO ARE NEW RESIDENTS OR RETURNING WASHINGTON
17 RESIDENTS. Sex offenders and kidnapping offenders who move to
18 Washington state from another state or a foreign country that are not
19 under the jurisdiction of the state department of corrections, the
20 indeterminate sentence review board, or the state department of social
21 and health services at the time of moving to Washington, must register
22 within ~~((thirty))~~ fourteen days of establishing residence or
23 reestablishing residence if the person is a former Washington resident.
24 The duty to register under this subsection applies to sex offenders and
25 kidnapping offenders convicted under the laws of another state or a
26 foreign country, federal or military statutes, or Washington state for
27 offenses committed before, on, or after ~~((February 28, 1990, and to~~
28 ~~kidnapping offenders convicted under the laws of another state or a~~
29 ~~foreign country, federal or military statutes, or Washington state for~~
30 ~~offenses committed on or after July 27, 1997))~~ the effective date of
31 this act. Sex offenders and kidnapping offenders from other states or
32 a foreign country who, when they move to Washington, are under the
33 jurisdiction of the department of corrections, the indeterminate
34 sentence review board, or the department of social and health services
35 must register within twenty-four hours of moving to Washington. The
36 agency that has jurisdiction over the offender shall notify the
37 offender of the registration requirements before the offender moves to
38 Washington.

1 It is an affirmative defense to a charge that a person failed to
2 register within the deadlines in this subsection (4)(a)(v) that: (A)
3 The person established or reestablished his or her residence in this
4 state prior to the effective date of this act; (B) the person was
5 unaware of his or her duty to register; and (C) the person registered
6 within twenty-four hours of receiving notice of his or her duty to
7 register from a law enforcement official. The defendant must establish
8 the defense by a preponderance of the evidence.

9 (vi) OFFENDERS FOUND NOT GUILTY BY REASON OF INSANITY. Any adult
10 or juvenile who has been found not guilty by reason of insanity under
11 chapter 10.77 RCW of (A) committing a sex offense on, before, or after
12 February 28, 1990, and who, on or after July 23, 1995, is in custody,
13 as a result of that finding, of the state department of social and
14 health services, or (B) committing a kidnapping offense on, before, or
15 after July 27, 1997, and who on or after July 27, 1997, is in custody,
16 as a result of that finding, of the state department of social and
17 health services, must register within twenty-four hours from the time
18 of release with the county sheriff for the county of the person's
19 residence. The state department of social and health services shall
20 provide notice to the adult or juvenile in its custody of the duty to
21 register. Any adult or juvenile who has been found not guilty by
22 reason of insanity of committing a sex offense on, before, or after
23 February 28, 1990, but who was released before July 23, 1995, or any
24 adult or juvenile who has been found not guilty by reason of insanity
25 of committing a kidnapping offense but who was released before July 27,
26 1997, shall be required to register within twenty-four hours of
27 receiving notice of this registration requirement. The state
28 department of social and health services shall make reasonable attempts
29 within available resources to notify sex offenders who were released
30 before July 23, 1995, and kidnapping offenders who were released before
31 July 27, 1997. Failure to register within twenty-four hours of
32 release, or of receiving notice, constitutes a violation of this
33 section and is punishable as provided in subsection (10) of this
34 section.

35 (vii) OFFENDERS WHO LACK A FIXED RESIDENCE. Any person who lacks
36 a fixed residence and leaves the county in which he or she is
37 registered and enters and remains within a new county for twenty-four

1 hours is required to register with the county sheriff not more than
2 twenty-four hours after entering the county and provide the information
3 required in subsection (3)(b) of this section.

4 (viii) OFFENDERS WHO LACK A FIXED RESIDENCE AND WHO ARE UNDER
5 SUPERVISION. Offenders who lack a fixed residence and who are under
6 the supervision of the department shall register in the county of their
7 supervision.

8 (ix) OFFENDERS WHO MOVE TO, WORK, CARRY ON A VOCATION, OR ATTEND
9 SCHOOL IN ANOTHER STATE. Offenders required to register in Washington,
10 who move to another state, or who work, carry on a vocation, or attend
11 school in another state shall register a new address, fingerprints, and
12 photograph with the new state within ten days after establishing
13 residence, or after beginning to work, carry on a vocation, or attend
14 school in the new state. The person must also send written notice
15 within ten days of moving to the new state or to a foreign country to
16 the county sheriff with whom the person last registered in Washington
17 state. The county sheriff shall promptly forward this information to
18 the Washington state patrol.

19 (b) Failure to register within the time required under this section
20 constitutes a per se violation of this section and is punishable as
21 provided in subsection (10) of this section. The county sheriff shall
22 not be required to determine whether the person is living within the
23 county.

24 (c) An arrest on charges of failure to register, service of an
25 information, or a complaint for a violation of this section, or
26 arraignment on charges for a violation of this section, constitutes
27 actual notice of the duty to register. Any person charged with the
28 crime of failure to register under this section who asserts as a
29 defense the lack of notice of the duty to register shall register
30 immediately following actual notice of the duty through arrest,
31 service, or arraignment. Failure to register as required under this
32 subsection (4)(c) constitutes grounds for filing another charge of
33 failing to register. Registering following arrest, service, or
34 arraignment on charges shall not relieve the offender from criminal
35 liability for failure to register prior to the filing of the original
36 charge.

37 (d) The deadlines for the duty to register under this section do

1 not relieve any sex offender of the duty to register under this section
2 as it existed prior to July 28, 1991.

3 (5)(a)(i) If any person required to register pursuant to this
4 section changes his or her residence address within the same county,
5 the person must send written notice of the change of address to the
6 county sheriff within seventy-two hours of moving. If any person
7 required to register pursuant to this section moves to a new county,
8 the person must send written notice of the change of address at least
9 fourteen days before moving to the county sheriff in the new county of
10 residence and must register with that county sheriff within twenty-four
11 hours of moving. The person must also send written notice within ten
12 days of the change of address in the new county to the county sheriff
13 with whom the person last registered. The county sheriff with whom the
14 person last registered shall promptly forward the information
15 concerning the change of address to the county sheriff for the county
16 of the person's new residence. Upon receipt of notice of change of
17 address to a new state, the county sheriff shall promptly forward the
18 information regarding the change of address to the agency designated by
19 the new state as the state's offender registration agency.

20 ((+b)) (ii) It is an affirmative defense to a charge that the
21 person failed to send a notice at least fourteen days in advance of
22 moving as required under (a)(i) of this subsection that the person did
23 not know the location of his or her new residence at least fourteen
24 days before moving. The defendant must establish the defense by a
25 preponderance of the evidence and, to prevail on the defense, must also
26 prove by a preponderance that the defendant sent the required notice
27 within twenty-four hours of determining the new address.

28 (b) Any person required to register under this section who is
29 employed in a different county than the county of his or her residence
30 shall send written notice of the location of his or her employment to
31 the county sheriff for the county in which his or her employment is
32 located. The written notice required by this subsection (5)(b) shall
33 be sent to the county sheriff within ten days of accepting employment
34 or by the first day after commencing work, whichever is earlier. If
35 the person's employment is terminated, he or she shall, within ten days
36 of the termination, send written notice of the termination to the
37 county sheriff for the county in which his or her employment was
38 located.

1 (6)(a) Any person required to register under this section who lacks
2 a fixed residence shall provide written notice to the sheriff of the
3 county where he or she last registered within forty-eight hours
4 excluding weekends and holidays after ceasing to have a fixed
5 residence. The notice shall include the information required by
6 subsection (3)(b) of this section, except the photograph and
7 fingerprints. The county sheriff may, for reasonable cause, require
8 the offender to provide a photograph and fingerprints. The sheriff
9 shall forward this information to the sheriff of the county in which
10 the person intends to reside, if the person intends to reside in
11 another county.

12 (b) A person who lacks a fixed residence must report weekly, in
13 person, to the sheriff of the county where he or she is registered.
14 The weekly report shall be on a day specified by the county sheriff's
15 office, and shall occur during normal business hours. The county
16 sheriff's office may require the person to list the locations where the
17 person has stayed during the last seven days. The lack of a fixed
18 residence is a factor that may be considered in determining an
19 offender's risk level and shall make the offender subject to disclosure
20 of information to the public at large pursuant to RCW 4.24.550.

21 (c) If any person required to register pursuant to this section
22 does not have a fixed residence, it is an affirmative defense to the
23 charge of failure to register, that he or she provided written notice
24 to the sheriff of the county where he or she last registered within
25 forty-eight hours excluding weekends and holidays after ceasing to have
26 a fixed residence and has subsequently complied with the requirements
27 of subsections (4)(a)(vii) or (viii) and (6) of this section. To
28 prevail, the person must prove the defense by a preponderance of the
29 evidence.

30 (7) A sex offender subject to registration requirements under this
31 section who applies to change his or her name under RCW 4.24.130 or any
32 other law shall submit a copy of the application to the county sheriff
33 of the county of the person's residence and to the state patrol not
34 fewer than five days before the entry of an order granting the name
35 change. No sex offender under the requirement to register under this
36 section at the time of application shall be granted an order changing
37 his or her name if the court finds that doing so will interfere with
38 legitimate law enforcement interests, except that no order shall be

1 denied when the name change is requested for religious or legitimate
2 cultural reasons or in recognition of marriage or dissolution of
3 marriage. A sex offender under the requirement to register under this
4 section who receives an order changing his or her name shall submit a
5 copy of the order to the county sheriff of the county of the person's
6 residence and to the state patrol within five days of the entry of the
7 order.

8 (8) The county sheriff shall obtain a photograph of the individual
9 and shall obtain a copy of the individual's fingerprints.

10 (9) For the purpose of RCW 9A.44.130, 10.01.200, 43.43.540,
11 70.48.470, and 72.09.330:

12 (a) "Sex offense" means:

13 (i) Any offense defined as a sex offense by RCW 9.94A.030;

14 (ii) Any violation under RCW 9A.44.096 (sexual misconduct with a
15 minor in the second degree);

16 (iii) Any violation under RCW 9.68A.090 (communication with a minor
17 for immoral purposes);

18 (iv) Any federal or out-of-state conviction for an offense that
19 under the laws of this state would be classified as a sex offense under
20 this subsection; and

21 (v) Any gross misdemeanor that is, under chapter 9A.28 RCW, a
22 criminal attempt, criminal solicitation, or criminal conspiracy to
23 commit an offense that is classified as a sex offense under RCW
24 9.94A.030 or this subsection.

25 (b) "Kidnapping offense" means: (i) The crimes of kidnapping in
26 the first degree, kidnapping in the second degree, and unlawful
27 imprisonment, as defined in chapter 9A.40 RCW, where the victim is a
28 minor and the offender is not the minor's parent; (ii) any offense that
29 is, under chapter 9A.28 RCW, a criminal attempt, criminal solicitation,
30 or criminal conspiracy to commit an offense that is classified as a
31 kidnapping offense under this subsection (9)(b); and (iii) any federal
32 or out-of-state conviction for an offense that under the laws of this
33 state would be classified as a kidnapping offense under this subsection
34 (9)(b).

35 (c) "Employed" or "carries on a vocation" means employment that is
36 full-time or part-time for a period of time exceeding fourteen days, or
37 for an aggregate period of time exceeding thirty days during any

1 calendar year. A person is employed or carries on a vocation whether
2 the person's employment is financially compensated, volunteered, or for
3 the purpose of government or educational benefit.

4 (d) "Student" means a person who is enrolled, on a full-time or
5 part-time basis, in any public or private educational institution. An
6 educational institution includes any secondary school, trade or
7 professional institution, or institution of higher education.

8 (10)(a) A person who knowingly fails to register with the county
9 sheriff or notify the county sheriff, or who changes his or her name
10 without notifying the county sheriff and the state patrol, as required
11 by this section is guilty of a class C felony if the crime for which
12 the individual was convicted was a felony sex offense as defined in
13 subsection (9)(a) of this section or a federal or out-of-state
14 conviction for an offense that under the laws of this state would be a
15 felony sex offense as defined in subsection (9)(a) of this section.

16 (b) If the crime for which the individual was convicted was other
17 than a felony or a federal or out-of-state conviction for an offense
18 that under the laws of this state would be other than a felony,
19 violation of this section is a gross misdemeanor.

20 (11)(a) A person who knowingly fails to register or who moves
21 within the state without notifying the county sheriff as required by
22 this section is guilty of a class C felony if the crime for which the
23 individual was convicted was a felony kidnapping offense as defined in
24 subsection (9)(b) of this section or a federal or out-of-state
25 conviction for an offense that under the laws of this state would be a
26 felony kidnapping offense as defined in subsection (9)(b) of this
27 section.

28 (b) If the crime for which the individual was convicted was other
29 than a felony or a federal or out-of-state conviction for an offense
30 that under the laws of this state would be other than a felony,
31 violation of this section is a gross misdemeanor.

32 **Sec. 2.** RCW 9.94A.515 and 2004 c 176 s 2 and 2004 c 94 s 3 are
33 each reenacted and amended to read as follows:

34 TABLE 2

CRIMES INCLUDED WITHIN

EACH SERIOUSNESS LEVEL

- 1
2
3 XVI Aggravated Murder 1 (RCW
4 10.95.020)
- 5 XV Homicide by abuse (RCW 9A.32.055)
6 Malicious explosion 1 (RCW
7 70.74.280(1))
8 Murder 1 (RCW 9A.32.030)
- 9 XIV Murder 2 (RCW 9A.32.050)
10 Trafficking 1 (RCW 9A.40.100(1))
- 11 XIII Malicious explosion 2 (RCW
12 70.74.280(2))
13 Malicious placement of an explosive 1
14 (RCW 70.74.270(1))
- 15 XII Assault 1 (RCW 9A.36.011)
16 Assault of a Child 1 (RCW 9A.36.120)
17 Malicious placement of an imitation
18 device 1 (RCW 70.74.272(1)(a))
19 Rape 1 (RCW 9A.44.040)
20 Rape of a Child 1 (RCW 9A.44.073)
21 Trafficking 2 (RCW 9A.40.100(2))
- 22 XI Manslaughter 1 (RCW 9A.32.060)
23 Rape 2 (RCW 9A.44.050)
24 Rape of a Child 2 (RCW 9A.44.076)
- 25 X Child Molestation 1 (RCW 9A.44.083)
26 Indecent Liberties (with forcible
27 compulsion) (RCW
28 9A.44.100(1)(a))
29 Kidnapping 1 (RCW 9A.40.020)
30 Leading Organized Crime (RCW
31 9A.82.060(1)(a))
32 Malicious explosion 3 (RCW
33 70.74.280(3))
34 Sexually Violent Predator Escape
35 (RCW 9A.76.115)
- 36 IX Assault of a Child 2 (RCW 9A.36.130)

1 Explosive devices prohibited (RCW
2 70.74.180)
3 Hit and Run--Death (RCW
4 46.52.020(4)(a))
5 Homicide by Watercraft, by being
6 under the influence of intoxicating
7 liquor or any drug (RCW
8 79A.60.050)
9 Inciting Criminal Profiteering (RCW
10 9A.82.060(1)(b))
11 Malicious placement of an explosive 2
12 (RCW 70.74.270(2))
13 Robbery 1 (RCW 9A.56.200)
14 Sexual Exploitation (RCW 9.68A.040)
15 Vehicular Homicide, by being under
16 the influence of intoxicating
17 liquor or any drug (RCW
18 46.61.520)
19 VIII Arson 1 (RCW 9A.48.020)
20 Homicide by Watercraft, by the
21 operation of any vessel in a
22 reckless manner (RCW
23 79A.60.050)
24 Manslaughter 2 (RCW 9A.32.070)
25 Promoting Prostitution 1 (RCW
26 9A.88.070)
27 Theft of Ammonia (RCW 69.55.010)
28 Vehicular Homicide, by the operation
29 of any vehicle in a reckless
30 manner (RCW 46.61.520)
31 VII Burglary 1 (RCW 9A.52.020)
32 Child Molestation 2 (RCW 9A.44.086)
33 Civil Disorder Training (RCW
34 9A.48.120)
35 Dealing in depictions of minor
36 engaged in sexually explicit
37 conduct (RCW 9.68A.050)

1 Drive-by Shooting (RCW 9A.36.045)
2 Homicide by Watercraft, by disregard
3 for the safety of others (RCW
4 79A.60.050)
5 Indecent Liberties (without forcible
6 compulsion) (RCW 9A.44.100(1)
7 (b) and (c))
8 Introducing Contraband 1 (RCW
9 9A.76.140)
10 Malicious placement of an explosive 3
11 (RCW 70.74.270(3))
12 Sending, bringing into state depictions
13 of minor engaged in sexually
14 explicit conduct (RCW
15 9.68A.060)
16 Unlawful Possession of a Firearm in
17 the first degree (RCW
18 9.41.040(1))
19 Use of a Machine Gun in Commission
20 of a Felony (RCW 9.41.225)
21 Vehicular Homicide, by disregard for
22 the safety of others (RCW
23 46.61.520)
24 VI Bail Jumping with Murder 1 (RCW
25 9A.76.170(3)(a))
26 Bribery (RCW 9A.68.010)
27 Incest 1 (RCW 9A.64.020(1))
28 Intimidating a Judge (RCW
29 9A.72.160)
30 Intimidating a Juror/Witness (RCW
31 9A.72.110, 9A.72.130)
32 Malicious placement of an imitation
33 device 2 (RCW 70.74.272(1)(b))
34 Rape of a Child 3 (RCW 9A.44.079)
35 Theft of a Firearm (RCW 9A.56.300)
36 Unlawful Storage of Ammonia (RCW
37 69.55.020)

1 V Abandonment of dependent person 1
2 (RCW 9A.42.060)
3 Advancing money or property for
4 extortionate extension of credit
5 (RCW 9A.82.030)
6 Bail Jumping with class A Felony
7 (RCW 9A.76.170(3)(b))
8 Child Molestation 3 (RCW 9A.44.089)
9 Criminal Mistreatment 1 (RCW
10 9A.42.020)
11 Custodial Sexual Misconduct 1 (RCW
12 9A.44.160)
13 Domestic Violence Court Order
14 Violation (RCW 10.99.040,
15 10.99.050, 26.09.300, 26.10.220,
16 26.26.138, 26.50.110, 26.52.070,
17 or 74.34.145)
18 Extortion 1 (RCW 9A.56.120)
19 Extortionate Extension of Credit
20 (RCW 9A.82.020)
21 Extortionate Means to Collect
22 Extensions of Credit (RCW
23 9A.82.040)
24 Incest 2 (RCW 9A.64.020(2))
25 Kidnapping 2 (RCW 9A.40.030)
26 Perjury 1 (RCW 9A.72.020)
27 Persistent prison misbehavior (RCW
28 9.94.070)
29 Possession of a Stolen Firearm (RCW
30 9A.56.310)
31 Rape 3 (RCW 9A.44.060)
32 Rendering Criminal Assistance 1
33 (RCW 9A.76.070)
34 Sexual Misconduct with a Minor 1
35 (RCW 9A.44.093)
36 Sexually Violating Human Remains
37 (RCW 9A.44.105)

1 Stalking (RCW 9A.46.110)
2 Taking Motor Vehicle Without
3 Permission 1 (RCW 9A.56.070)
4 IV Arson 2 (RCW 9A.48.030)
5 Assault 2 (RCW 9A.36.021)
6 Assault by Watercraft (RCW
7 79A.60.060)
8 Bribing a Witness/Bribe Received by
9 Witness (RCW 9A.72.090,
10 9A.72.100)
11 Cheating 1 (RCW 9.46.1961)
12 Commercial Bribery (RCW
13 9A.68.060)
14 Counterfeiting (RCW 9.16.035(4))
15 Endangerment with a Controlled
16 Substance (RCW 9A.42.100)
17 Escape 1 (RCW 9A.76.110)
18 Failure to register as a kidnapping
19 offender (RCW 9A.44.130(11)(a))
20 Failure to register as a sex offender
21 (RCW 9A.44.130(10)(a))
22 Hit and Run--Injury (RCW
23 46.52.020(4)(b))
24 Hit and Run with Vessel--Injury
25 Accident (RCW 79A.60.200(3))
26 Identity Theft 1 (RCW 9.35.020(2))
27 Indecent Exposure to Person Under
28 Age Fourteen (subsequent sex
29 offense) (RCW 9A.88.010)
30 Influencing Outcome of Sporting
31 Event (RCW 9A.82.070)
32 Malicious Harassment (RCW
33 9A.36.080)
34 Residential Burglary (RCW
35 9A.52.025)
36 Robbery 2 (RCW 9A.56.210)
37 Theft of Livestock 1 (RCW 9A.56.080)

1 Threats to Bomb (RCW 9.61.160)
2 Trafficking in Stolen Property 1 (RCW
3 9A.82.050)
4 Unlawful factoring of a credit card or
5 payment card transaction (RCW
6 9A.56.290(4)(b))
7 Unlawful transaction of health
8 coverage as a health care service
9 contractor (RCW 48.44.016(3))
10 Unlawful transaction of health
11 coverage as a health maintenance
12 organization (RCW 48.46.033(3))
13 Unlawful transaction of insurance
14 business (RCW 48.15.023(3))
15 Unlicensed practice as an insurance
16 professional (RCW 48.17.063(3))
17 Use of Proceeds of Criminal
18 Profiteering (RCW 9A.82.080 (1)
19 and (2))
20 Vehicular Assault, by being under the
21 influence of intoxicating liquor or
22 any drug, or by the operation or
23 driving of a vehicle in a reckless
24 manner (RCW 46.61.522)
25 Willful Failure to Return from
26 Furlough (RCW 72.66.060)
27 III Abandonment of dependent person 2
28 (RCW 9A.42.070)
29 Assault 3 (RCW 9A.36.031)
30 Assault of a Child 3 (RCW 9A.36.140)
31 Bail Jumping with class B or C Felony
32 (RCW 9A.76.170(3)(c))
33 Burglary 2 (RCW 9A.52.030)
34 Communication with a Minor for
35 Immoral Purposes (RCW
36 9.68A.090)

1 Criminal Gang Intimidation (RCW
2 9A.46.120)
3 Criminal Mistreatment 2 (RCW
4 9A.42.030)
5 Custodial Assault (RCW 9A.36.100)
6 Cyberstalking (subsequent conviction
7 or threat of death) (RCW
8 9.61.260(3))
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 Securities Act violation (RCW
29 21.20.400)
30 Tampering with a Witness (RCW
31 9A.72.120)
32 Telephone Harassment (subsequent
33 conviction or threat of death)
34 (RCW 9.61.230(2))
35 Theft of Livestock 2 (RCW 9A.56.083)
36 Trafficking in Stolen Property 2 (RCW
37 9A.82.055)

1 Unlawful Imprisonment (RCW
2 9A.40.040)
3 Unlawful possession of firearm in the
4 second degree (RCW 9.41.040(2))
5 Vehicular Assault, by the operation or
6 driving of a vehicle with disregard
7 for the safety of others (RCW
8 46.61.522)
9 Willful Failure to Return from Work
10 Release (RCW 72.65.070)
11 II Computer Trespass 1 (RCW
12 9A.52.110)
13 Counterfeiting (RCW 9.16.035(3))
14 Escape from Community Custody
15 (RCW 72.09.310)
16 Health Care False Claims (RCW
17 48.80.030)
18 Identity Theft 2 (RCW 9.35.020(3))
19 Improperly Obtaining Financial
20 Information (RCW 9.35.010)
21 Malicious Mischief 1 (RCW
22 9A.48.070)
23 Possession of Stolen Property 1 (RCW
24 9A.56.150)
25 Theft 1 (RCW 9A.56.030)
26 Theft of Rental, Leased, or Lease-
27 purchased Property (valued at one
28 thousand five hundred dollars or
29 more) (RCW 9A.56.096(5)(a))
30 Trafficking in Insurance Claims (RCW
31 48.30A.015)
32 Unlawful factoring of a credit card or
33 payment card transaction (RCW
34 9A.56.290(4)(a))
35 Unlawful Practice of Law (RCW
36 2.48.180)

1 Unlicensed Practice of a Profession or
2 Business (RCW 18.130.190(7))
3 I Attempting to Elude a Pursuing Police
4 Vehicle (RCW 46.61.024)
5 False Verification for Welfare (RCW
6 74.08.055)
7 Forgery (RCW 9A.60.020)
8 Fraudulent Creation or Revocation of a
9 Mental Health Advance Directive
10 (RCW 9A.60.060)
11 Malicious Mischief 2 (RCW
12 9A.48.080)
13 Mineral Trespass (RCW 78.44.330)
14 Possession of Stolen Property 2 (RCW
15 9A.56.160)
16 Reckless Burning 1 (RCW 9A.48.040)
17 Taking Motor Vehicle Without
18 Permission 2 (RCW 9A.56.075)
19 Theft 2 (RCW 9A.56.040)
20 Theft of Rental, Leased, or Lease-
21 purchased Property (valued at two
22 hundred fifty dollars or more but
23 less than one thousand five
24 hundred dollars) (RCW
25 9A.56.096(5)(b))
26 Transaction of insurance business
27 beyond the scope of licensure
28 (RCW 48.17.063(4))
29 Unlawful Issuance of Checks or Drafts
30 (RCW 9A.56.060)
31 Unlawful Possession of Fictitious
32 Identification (RCW 9A.56.320)
33 Unlawful Possession of Instruments of
34 Financial Fraud (RCW
35 9A.56.320)
36 Unlawful Possession of Payment
37 Instruments (RCW 9A.56.320)

1 Unlawful Possession of a Personal
2 Identification Device (RCW
3 9A.56.320)
4 Unlawful Production of Payment
5 Instruments (RCW 9A.56.320)
6 Unlawful Trafficking in Food Stamps
7 (RCW 9.91.142)
8 Unlawful Use of Food Stamps (RCW
9 9.91.144)
10 Vehicle Prowl 1 (RCW 9A.52.095)

11 NEW SECTION. **Sec. 3.** This act is necessary for the immediate
12 preservation of the public peace, health, or safety, or support of the
13 state government and its existing public institutions, and takes effect
14 July 1, 2005.

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