

HOUSE BILL 2467

State of Washington                      59th Legislature                      2006 Regular Session

By Representatives Dunn and Campbell

Prefiled 1/6/2006.      Read first time 01/09/2006.      Referred to  
Committee on Criminal Justice & Corrections.

1            AN ACT Relating to increasing the seriousness level of rape of a  
2 child in the second degree; and reenacting and amending RCW 9.94A.515.

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

4            **Sec. 1.** RCW 9.94A.515 and 2005 c 458 s 2 and 2005 c 183 s 9 are  
5 each reenacted and amended to read as follows:

6

7

TABLE 2

8

CRIMES INCLUDED WITHIN

9

EACH SERIOUSNESS LEVEL

10

XVI Aggravated Murder 1 (RCW

11

10.95.020)

12

XV Homicide by abuse (RCW 9A.32.055)

13

Malicious explosion 1 (RCW

14

70.74.280(1))

15

Murder 1 (RCW 9A.32.030)

16

XIV Murder 2 (RCW 9A.32.050)

1 Trafficking 1 (RCW 9A.40.100(1))  
2 Rape of a Child 2 (RCW 9A.44.076)  
3 XIII Malicious explosion 2 (RCW  
4 70.74.280(2))  
5 Malicious placement of an explosive 1  
6 (RCW 70.74.270(1))  
7 XII Assault 1 (RCW 9A.36.011)  
8 Assault of a Child 1 (RCW 9A.36.120)  
9 Malicious placement of an imitation  
10 device 1 (RCW 70.74.272(1)(a))  
11 Rape 1 (RCW 9A.44.040)  
12 Rape of a Child 1 (RCW 9A.44.073)  
13 Trafficking 2 (RCW 9A.40.100(2))  
14 XI Manslaughter 1 (RCW 9A.32.060)  
15 Rape 2 (RCW 9A.44.050)  
16 ~~((Rape of a Child 2 (RCW~~  
17 ~~9A.44.076)))~~  
18 X Child Molestation 1 (RCW 9A.44.083)  
19 Indecent Liberties (with forcible  
20 compulsion) (RCW  
21 9A.44.100(1)(a))  
22 Kidnapping 1 (RCW 9A.40.020)  
23 Leading Organized Crime (RCW  
24 9A.82.060(1)(a))  
25 Malicious explosion 3 (RCW  
26 70.74.280(3))  
27 Sexually Violent Predator Escape  
28 (RCW 9A.76.115)  
29 IX Assault of a Child 2 (RCW 9A.36.130)  
30 Explosive devices prohibited (RCW  
31 70.74.180)  
32 Hit and Run--Death (RCW  
33 46.52.020(4)(a))  
34 Homicide by Watercraft, by being  
35 under the influence of intoxicating  
36 liquor or any drug (RCW  
37 79A.60.050)

1 Inciting Criminal Profiteering (RCW  
2 9A.82.060(1)(b))  
3 Malicious placement of an explosive 2  
4 (RCW 70.74.270(2))  
5 Robbery 1 (RCW 9A.56.200)  
6 Sexual Exploitation (RCW 9.68A.040)  
7 Vehicular Homicide, by being under  
8 the influence of intoxicating liquor  
9 or any drug (RCW 46.61.520)  
10 VIII Arson 1 (RCW 9A.48.020)  
11 Homicide by Watercraft, by the  
12 operation of any vessel in a  
13 reckless manner (RCW  
14 79A.60.050)  
15 Manslaughter 2 (RCW 9A.32.070)  
16 Promoting Prostitution 1 (RCW  
17 9A.88.070)  
18 Theft of Ammonia (RCW 69.55.010)  
19 Vehicular Homicide, by the operation  
20 of any vehicle in a reckless  
21 manner (RCW 46.61.520)  
22 VII Burglary 1 (RCW 9A.52.020)  
23 Child Molestation 2 (RCW 9A.44.086)  
24 Civil Disorder Training (RCW  
25 9A.48.120)  
26 Dealing in depictions of minor  
27 engaged in sexually explicit  
28 conduct (RCW 9.68A.050)  
29 Drive-by Shooting (RCW 9A.36.045)  
30 Homicide by Watercraft, by disregard  
31 for the safety of others (RCW  
32 79A.60.050)  
33 Indecent Liberties (without forcible  
34 compulsion) (RCW 9A.44.100(1)  
35 (b) and (c))  
36 Introducing Contraband 1 (RCW  
37 9A.76.140)

1 Malicious placement of an explosive 3  
2 (RCW 70.74.270(3))  
3 Negligently Causing Death By Use of  
4 a Signal Preemption Device  
5 (RCW 46.37.675)  
6 Sending, bringing into state depictions  
7 of minor engaged in sexually  
8 explicit conduct (RCW  
9 9.68A.060)  
10 Unlawful Possession of a Firearm in  
11 the first degree (RCW  
12 9.41.040(1))  
13 Use of a Machine Gun in Commission  
14 of a Felony (RCW 9.41.225)  
15 Vehicular Homicide, by disregard for  
16 the safety of others (RCW  
17 46.61.520)  
18 VI Bail Jumping with Murder 1 (RCW  
19 9A.76.170(3)(a))  
20 Bribery (RCW 9A.68.010)  
21 Incest 1 (RCW 9A.64.020(1))  
22 Intimidating a Judge (RCW  
23 9A.72.160)  
24 Intimidating a Juror/Witness (RCW  
25 9A.72.110, 9A.72.130)  
26 Malicious placement of an imitation  
27 device 2 (RCW 70.74.272(1)(b))  
28 Rape of a Child 3 (RCW 9A.44.079)  
29 Theft of a Firearm (RCW 9A.56.300)  
30 Unlawful Storage of Ammonia (RCW  
31 69.55.020)  
32 V Abandonment of dependent person 1  
33 (RCW 9A.42.060)  
34 Advancing money or property for  
35 extortionate extension of credit  
36 (RCW 9A.82.030)

1 Bail Jumping with class A Felony  
2 (RCW 9A.76.170(3)(b))  
3 Child Molestation 3 (RCW 9A.44.089)  
4 Criminal Mistreatment 1 (RCW  
5 9A.42.020)  
6 Custodial Sexual Misconduct 1 (RCW  
7 9A.44.160)  
8 Domestic Violence Court Order  
9 Violation (RCW 10.99.040,  
10 10.99.050, 26.09.300, 26.10.220,  
11 26.26.138, 26.50.110, 26.52.070,  
12 or 74.34.145)  
13 Extortion 1 (RCW 9A.56.120)  
14 Extortionate Extension of Credit  
15 (RCW 9A.82.020)  
16 Extortionate Means to Collect  
17 Extensions of Credit (RCW  
18 9A.82.040)  
19 Incest 2 (RCW 9A.64.020(2))  
20 Kidnapping 2 (RCW 9A.40.030)  
21 Perjury 1 (RCW 9A.72.020)  
22 Persistent prison misbehavior (RCW  
23 9.94.070)  
24 Possession of a Stolen Firearm (RCW  
25 9A.56.310)  
26 Rape 3 (RCW 9A.44.060)  
27 Rendering Criminal Assistance 1  
28 (RCW 9A.76.070)  
29 Sexual Misconduct with a Minor 1  
30 (RCW 9A.44.093)  
31 Sexually Violating Human Remains  
32 (RCW 9A.44.105)  
33 Stalking (RCW 9A.46.110)  
34 Taking Motor Vehicle Without  
35 Permission 1 (RCW 9A.56.070)  
36 IV Arson 2 (RCW 9A.48.030)  
37 Assault 2 (RCW 9A.36.021)

1 Assault 3 (of a Peace Officer with a  
2 Projectile Stun Gun) (RCW  
3 9A.36.031(1)(h))  
4 Assault by Watercraft (RCW  
5 79A.60.060)  
6 Bribing a Witness/Bribe Received by  
7 Witness (RCW 9A.72.090,  
8 9A.72.100)  
9 Cheating 1 (RCW 9.46.1961)  
10 Commercial Bribery (RCW  
11 9A.68.060)  
12 Counterfeiting (RCW 9.16.035(4))  
13 Endangerment with a Controlled  
14 Substance (RCW 9A.42.100)  
15 Escape 1 (RCW 9A.76.110)  
16 Hit and Run--Injury (RCW  
17 46.52.020(4)(b))  
18 Hit and Run with Vessel--Injury  
19 Accident (RCW 79A.60.200(3))  
20 Identity Theft 1 (RCW 9.35.020(2))  
21 Indecent Exposure to Person Under  
22 Age Fourteen (subsequent sex  
23 offense) (RCW 9A.88.010)  
24 Influencing Outcome of Sporting  
25 Event (RCW 9A.82.070)  
26 Malicious Harassment (RCW  
27 9A.36.080)  
28 Residential Burglary (RCW  
29 9A.52.025)  
30 Robbery 2 (RCW 9A.56.210)  
31 Theft of Livestock 1 (RCW 9A.56.080)  
32 Threats to Bomb (RCW 9.61.160)  
33 Trafficking in Stolen Property 1 (RCW  
34 9A.82.050)  
35 Unlawful factoring of a credit card or  
36 payment card transaction (RCW  
37 9A.56.290(4)(b))

1 Unlawful transaction of health  
2 coverage as a health care service  
3 contractor (RCW 48.44.016(3))  
4 Unlawful transaction of health  
5 coverage as a health maintenance  
6 organization (RCW 48.46.033(3))  
7 Unlawful transaction of insurance  
8 business (RCW 48.15.023(3))  
9 Unlicensed practice as an insurance  
10 professional (RCW 48.17.063(3))  
11 Use of Proceeds of Criminal  
12 Profiteering (RCW 9A.82.080 (1)  
13 and (2))  
14 Vehicular Assault, by being under the  
15 influence of intoxicating liquor or  
16 any drug, or by the operation or  
17 driving of a vehicle in a reckless  
18 manner (RCW 46.61.522)  
19 Willful Failure to Return from  
20 Furlough (RCW 72.66.060)  
21 III Abandonment of dependent person 2  
22 (RCW 9A.42.070)  
23 Assault 3 (Except Assault 3 of a Peace  
24 Officer With a Projectile Stun  
25 Gun) (RCW 9A.36.031 except  
26 subsection (1)(h))  
27 Assault of a Child 3 (RCW 9A.36.140)  
28 Bail Jumping with class B or C Felony  
29 (RCW 9A.76.170(3)(c))  
30 Burglary 2 (RCW 9A.52.030)  
31 Communication with a Minor for  
32 Immoral Purposes (RCW  
33 9.68A.090)  
34 Criminal Gang Intimidation (RCW  
35 9A.46.120)  
36 Criminal Mistreatment 2 (RCW  
37 9A.42.030)

1 Custodial Assault (RCW 9A.36.100)  
2 Cyberstalking (subsequent conviction  
3 or threat of death) (RCW  
4 9.61.260(3))  
5 Escape 2 (RCW 9A.76.120)  
6 Extortion 2 (RCW 9A.56.130)  
7 Harassment (RCW 9A.46.020)  
8 Intimidating a Public Servant (RCW  
9 9A.76.180)  
10 Introducing Contraband 2 (RCW  
11 9A.76.150)  
12 Malicious Injury to Railroad Property  
13 (RCW 81.60.070)  
14 Negligently Causing Substantial Bodily  
15 Harm By Use of a Signal  
16 Preemption Device (RCW  
17 46.37.674)  
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)

--- **END** ---