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HOUSE BILL 1487

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State of Washington

60th Legislature

2007 Regular Session

By Representatives Campbell, Ericks, Green, P. Sullivan, McCune, Ormsby and Morrell

Read first time 01/22/2007. Referred to Committee on Public Safety & Emergency Preparedness.

1 AN ACT Relating to fraudulent pseudoephedrine procurement;  
2 reenacting and amending RCW 9.94A.515; adding a new section to chapter  
3 69.50 RCW; and prescribing penalties.

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

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 69.50 RCW  
6 to read as follows:

7 (1) A person is guilty of fraudulent pseudoephedrine procurement if  
8 he or she knowingly procures or purchases pseudoephedrine or any of its  
9 salts, isomers, or salts of isomers, with an identification card of  
10 another person or a false identification.

11 (2) Fraudulent pseudoephedrine procurement is a class C felony.

12 **Sec. 2.** RCW 9.94A.515 and 2006 c 277 s 6, 2006 c 228 s 9, 2006 c  
13 191 s 2, 2006 c 139 s 2, 2006 c 128 s 3, and 2006 c 73 s 12 are each  
14 reenacted and amended to read as follows:

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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) Trafficking 1 (RCW 9A.40.100(1))
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) Trafficking 2 (RCW 9A.40.100(2))
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)) Sexually Violent Predator Escape (RCW 9A.76.115)

1 IX Abandonment of Dependent Person 1  
2 (RCW 9A.42.060)  
3 Assault of a Child 2 (RCW 9A.36.130)  
4 Criminal Mistreatment 1 (RCW  
5 9A.42.020)  
6 Explosive devices prohibited (RCW  
7 70.74.180)  
8 Hit and Run--Death (RCW  
9 46.52.020(4)(a))  
10 Homicide by Watercraft, by being  
11 under the influence of intoxicating  
12 liquor or any drug (RCW  
13 79A.60.050)  
14 Inciting Criminal Profiteering (RCW  
15 9A.82.060(1)(b))  
16 Malicious placement of an explosive 2  
17 (RCW 70.74.270(2))  
18 Robbery 1 (RCW 9A.56.200)  
19 Sexual Exploitation (RCW 9.68A.040)  
20 Vehicular Homicide, by being under  
21 the influence of intoxicating liquor  
22 or any drug (RCW 46.61.520)  
23 VIII Arson 1 (RCW 9A.48.020)  
24 Homicide by Watercraft, by the  
25 operation of any vessel in a  
26 reckless manner (RCW  
27 79A.60.050)  
28 Manslaughter 2 (RCW 9A.32.070)  
29 Promoting Prostitution 1 (RCW  
30 9A.88.070)  
31 Theft of Ammonia (RCW 69.55.010)  
32 Vehicular Homicide, by the operation  
33 of any vehicle in a reckless manner  
34 (RCW 46.61.520)  
35 VII Burglary 1 (RCW 9A.52.020)  
36 Child Molestation 2 (RCW 9A.44.086)

1 Civil Disorder Training (RCW  
2 9A.48.120)  
3 Dealing in depictions of minor engaged  
4 in sexually explicit conduct (RCW  
5 9.68A.050)  
6 Drive-by Shooting (RCW 9A.36.045)  
7 Homicide by Watercraft, by disregard  
8 for the safety of others (RCW  
9 79A.60.050)  
10 Indecent Liberties (without forcible  
11 compulsion) (RCW 9A.44.100(1)  
12 (b) and (c))  
13 Introducing Contraband 1 (RCW  
14 9A.76.140)  
15 Malicious placement of an explosive 3  
16 (RCW 70.74.270(3))  
17 Negligently Causing Death By Use of a  
18 Signal Preemption Device (RCW  
19 46.37.675)  
20 Sending, bringing into state depictions  
21 of minor engaged in sexually  
22 explicit conduct (RCW 9.68A.060)  
23 Unlawful Possession of a Firearm in  
24 the first degree (RCW 9.41.040(1))  
25 Use of a Machine Gun in Commission  
26 of a Felony (RCW 9.41.225)  
27 Vehicular Homicide, by disregard for  
28 the safety of others (RCW  
29 46.61.520)  
30 VI Bail Jumping with Murder 1 (RCW  
31 9A.76.170(3)(a))  
32 Bribery (RCW 9A.68.010)  
33 Incest 1 (RCW 9A.64.020(1))  
34 Intimidating a Judge (RCW 9A.72.160)  
35 Intimidating a Juror/Witness (RCW  
36 9A.72.110, 9A.72.130)

1 Malicious placement of an imitation  
2 device 2 (RCW 70.74.272(1)(b))  
3 Possession of Depictions of a Minor  
4 Engaged in Sexually Explicit  
5 Conduct (RCW 9.68A.070)  
6 Rape of a Child 3 (RCW 9A.44.079)  
7 Theft of a Firearm (RCW 9A.56.300)  
8 Unlawful Storage of Ammonia (RCW  
9 69.55.020)  
10 V Abandonment of Dependent Person 2  
11 (RCW 9A.42.070)  
12 Advancing money or property for  
13 extortionate extension of credit  
14 (RCW 9A.82.030)  
15 Bail Jumping with class A Felony  
16 (RCW 9A.76.170(3)(b))  
17 Child Molestation 3 (RCW 9A.44.089)  
18 Criminal Mistreatment 2 (RCW  
19 9A.42.030)  
20 Custodial Sexual Misconduct 1 (RCW  
21 9A.44.160)  
22 Domestic Violence Court Order  
23 Violation (RCW 10.99.040,  
24 10.99.050, 26.09.300, 26.10.220,  
25 26.26.138, 26.50.110, 26.52.070,  
26 or 74.34.145)  
27 Driving While Under the Influence  
28 (RCW 46.61.502(6))  
29 Extortion 1 (RCW 9A.56.120)  
30 Extortionate Extension of Credit (RCW  
31 9A.82.020)  
32 Extortionate Means to Collect  
33 Extensions of Credit (RCW  
34 9A.82.040)  
35 Incest 2 (RCW 9A.64.020(2))  
36 Kidnapping 2 (RCW 9A.40.030)  
37 Perjury 1 (RCW 9A.72.020)

1 Persistent prison misbehavior (RCW  
2 9.94.070)  
3 Physical Control of a Vehicle While  
4 Under the Influence (RCW  
5 46.61.504(6))  
6 Possession of a Stolen Firearm (RCW  
7 9A.56.310)  
8 Rape 3 (RCW 9A.44.060)  
9 Rendering Criminal Assistance 1  
10 (RCW 9A.76.070)  
11 Sexual Misconduct with a Minor 1  
12 (RCW 9A.44.093)  
13 Sexually Violating Human Remains  
14 (RCW 9A.44.105)  
15 Stalking (RCW 9A.46.110)  
16 Taking Motor Vehicle Without  
17 Permission 1 (RCW 9A.56.070)  
18 IV Arson 2 (RCW 9A.48.030)  
19 Assault 2 (RCW 9A.36.021)  
20 Assault 3 (of a Peace Officer with a  
21 Projectile Stun Gun) (RCW  
22 9A.36.031(1)(h))  
23 Assault by Watercraft (RCW  
24 79A.60.060)  
25 Bribing a Witness/Bribe Received by  
26 Witness (RCW 9A.72.090,  
27 9A.72.100)  
28 Cheating 1 (RCW 9.46.1961)  
29 Commercial Bribery (RCW 9A.68.060)  
30 Counterfeiting (RCW 9.16.035(4))  
31 Endangerment with a Controlled  
32 Substance (RCW 9A.42.100)  
33 Escape 1 (RCW 9A.76.110)  
34 Fraudulent pseudoephedrine  
35 procurement (section 1 of this act)  
36 Hit and Run--Injury (RCW  
37 46.52.020(4)(b))

1 Hit and Run with Vessel--Injury  
2 Accident (RCW 79A.60.200(3))  
3 Identity Theft 1 (RCW 9.35.020(2))  
4 Indecent Exposure to Person Under  
5 Age Fourteen (subsequent sex  
6 offense) (RCW 9A.88.010)  
7 Influencing Outcome of Sporting Event  
8 (RCW 9A.82.070)  
9 Malicious Harassment (RCW  
10 9A.36.080)  
11 Residential Burglary (RCW  
12 9A.52.025)  
13 Robbery 2 (RCW 9A.56.210)  
14 Theft of Livestock 1 (RCW 9A.56.080)  
15 Threats to Bomb (RCW 9.61.160)  
16 Trafficking in Stolen Property 1 (RCW  
17 9A.82.050)  
18 Unlawful factoring of a credit card or  
19 payment card transaction (RCW  
20 9A.56.290(4)(b))  
21 Unlawful transaction of health  
22 coverage as a health care service  
23 contractor (RCW 48.44.016(3))  
24 Unlawful transaction of health  
25 coverage as a health maintenance  
26 organization (RCW 48.46.033(3))  
27 Unlawful transaction of insurance  
28 business (RCW 48.15.023(3))  
29 Unlicensed practice as an insurance  
30 professional (RCW 48.17.063(3))  
31 Use of Proceeds of Criminal  
32 Profiteering (RCW 9A.82.080 (1)  
33 and (2))

1 Vehicular Assault, by being under the  
2 influence of intoxicating liquor or  
3 any drug, or by the operation or  
4 driving of a vehicle in a reckless  
5 manner (RCW 46.61.522)  
6 Willful Failure to Return from  
7 Furlough (RCW 72.66.060)  
8 III Animal Cruelty 1 (Sexual Conduct or  
9 Contact) (RCW 16.52.205(3))  
10 Assault 3 (Except Assault 3 of a Peace  
11 Officer With a Projectile Stun  
12 Gun) (RCW 9A.36.031 except  
13 subsection (1)(h))  
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 Custodial Assault (RCW 9A.36.100)  
24 Cyberstalking (subsequent conviction  
25 or threat of death) (RCW  
26 9.61.260(3))  
27 Escape 2 (RCW 9A.76.120)  
28 Extortion 2 (RCW 9A.56.130)  
29 Harassment (RCW 9A.46.020)  
30 Intimidating a Public Servant (RCW  
31 9A.76.180)  
32 Introducing Contraband 2 (RCW  
33 9A.76.150)  
34 Malicious Injury to Railroad Property  
35 (RCW 81.60.070)



1 Negligently Causing Substantial Bodily  
2 Harm By Use of a Signal  
3 Preemption Device (RCW  
4 46.37.674)  
5 Organized Retail Theft 1 (RCW  
6 9A.56.350(2))  
7 Patronizing a Juvenile Prostitute (RCW  
8 9.68A.100)  
9 Perjury 2 (RCW 9A.72.030)  
10 Possession of Incendiary Device (RCW  
11 9.40.120)  
12 Possession of Machine Gun or Short-  
13 Barreled Shotgun or Rifle (RCW  
14 9.41.190)  
15 Promoting Prostitution 2 (RCW  
16 9A.88.080)  
17 (~~(Retail)~~) Retail Theft with  
18 Extenuating Circumstances 1  
19 (RCW 9A.56.360(2))  
20 Securities Act violation (RCW  
21 21.20.400)  
22 Tampering with a Witness (RCW  
23 9A.72.120)  
24 Telephone Harassment (subsequent  
25 conviction or threat of death)  
26 (RCW 9.61.230(2))  
27 Theft of Livestock 2 (RCW 9A.56.083)  
28 Theft with the Intent to Resell 1 (RCW  
29 9A.56.340(2))  
30 Trafficking in Stolen Property 2 (RCW  
31 9A.82.055)  
32 Unlawful Imprisonment (RCW  
33 9A.40.040)  
34 Unlawful possession of firearm in the  
35 second degree (RCW 9.41.040(2))

1 Vehicular Assault, by the operation or  
2 driving of a vehicle with disregard  
3 for the safety of others (RCW  
4 46.61.522)  
5 Willful Failure to Return from Work  
6 Release (RCW 72.65.070)  
7 II Computer Trespass 1 (RCW  
8 9A.52.110)  
9 Counterfeiting (RCW 9.16.035(3))  
10 Escape from Community Custody  
11 (RCW 72.09.310)  
12 Failure to Register as a Sex Offender  
13 (second or subsequent offense)  
14 (RCW 9A.44.130(10)(a))  
15 Health Care False Claims (RCW  
16 48.80.030)  
17 Identity Theft 2 (RCW 9.35.020(3))  
18 Improperly Obtaining Financial  
19 Information (RCW 9.35.010)  
20 Malicious Mischief 1 (RCW  
21 9A.48.070)  
22 Organized Retail Theft 2 (RCW  
23 9A.56.350(3))  
24 Possession of Stolen Property 1 (RCW  
25 9A.56.150)  
26 (~~(Retail))~~ Retail Theft with  
27 Extenuating Circumstances 2  
28 (RCW 9A.56.360(3))  
29 Theft 1 (RCW 9A.56.030)  
30 Theft of Rental, Leased, or Lease-  
31 purchased Property (valued at one  
32 thousand five hundred dollars or  
33 more) (RCW 9A.56.096(5)(a))  
34 Theft with the Intent to Resell 2 (RCW  
35 9A.56.340(3))  
36 Trafficking in Insurance Claims (RCW  
37 48.30A.015)

1 Unlawful factoring of a credit card or  
2 payment card transaction (RCW  
3 9A.56.290(4)(a))  
4 Unlawful Practice of Law (RCW  
5 2.48.180)  
6 Unlicensed Practice of a Profession or  
7 Business (RCW 18.130.190(7))  
8 Voyeurism (RCW 9A.44.115)  
9 I Attempting to Elude a Pursuing Police  
10 Vehicle (RCW 46.61.024)  
11 False Verification for Welfare (RCW  
12 74.08.055)  
13 Forgery (RCW 9A.60.020)  
14 Fraudulent Creation or Revocation of a  
15 Mental Health Advance Directive  
16 (RCW 9A.60.060)  
17 Malicious Mischief 2 (RCW  
18 9A.48.080)  
19 Mineral Trespass (RCW 78.44.330)  
20 Possession of Stolen Property 2 (RCW  
21 9A.56.160)  
22 Reckless Burning 1 (RCW 9A.48.040)  
23 Taking Motor Vehicle Without  
24 Permission 2 (RCW 9A.56.075)  
25 Theft 2 (RCW 9A.56.040)  
26 Theft of Rental, Leased, or Lease-  
27 purchased Property (valued at two  
28 hundred fifty dollars or more but  
29 less than one thousand five  
30 hundred dollars) (RCW  
31 9A.56.096(5)(b))  
32 Transaction of insurance business  
33 beyond the scope of licensure  
34 (RCW 48.17.063(4))  
35 Unlawful Issuance of Checks or Drafts  
36 (RCW 9A.56.060)

1 Unlawful Possession of Fictitious  
2 Identification (RCW 9A.56.320)  
3 Unlawful Possession of Instruments of  
4 Financial Fraud (RCW 9A.56.320)  
5 Unlawful Possession of Payment  
6 Instruments (RCW 9A.56.320)  
7 Unlawful Possession of a Personal  
8 Identification Device (RCW  
9 9A.56.320)  
10 Unlawful Production of Payment  
11 Instruments (RCW 9A.56.320)  
12 Unlawful Trafficking in Food Stamps  
13 (RCW 9.91.142)  
14 Unlawful Use of Food Stamps (RCW  
15 9.91.144)  
16 Vehicle Prowl 1 (RCW 9A.52.095)

--- **END** ---