
SUBSTITUTE HOUSE BILL 2153

State of Washington

68th Legislature

2024 Regular Session

By House Consumer Protection & Business (originally sponsored by Representatives Ryu, Ormsby, Cheney, Reeves, Pollet, and Davis)

READ FIRST TIME 01/31/24.

1 AN ACT Relating to deterring the theft of catalytic converters;
2 amending RCW 19.290.010, 19.290.020, 19.290.030, 19.290.040,
3 19.290.050, 19.290.060, 19.290.080, 19.290.220, 19.290.240,
4 46.79.010, 46.80.080, 46.80.210, and 9A.82.010; reenacting and
5 amending RCW 46.80.010, 9.94A.533, and 9.94A.515; adding a new
6 section to chapter 19.290 RCW; adding a new section to chapter 46.70
7 RCW; adding new sections to chapter 46.79 RCW; adding a new section
8 to chapter 46.80 RCW; adding new sections to chapter 43.43 RCW;
9 adding new sections to chapter 9A.82 RCW; adding a new section to
10 chapter 9.94A RCW; creating a new section; prescribing penalties; and
11 providing an effective date.

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

13 NEW SECTION. **Sec. 1.** The legislature finds that rates of
14 catalytic converter theft have rapidly increased statewide and
15 nationwide, due in part to existing challenges with accurately
16 identifying stolen catalytic converters and tracking them through the
17 stream of commerce after they have been removed from their
18 originating vehicles. The legislature also finds that recent evidence
19 suggests most purchases of stolen catalytic converters are conducted
20 by unlicensed, unregulated purchasers.

1 Therefore, the legislature intends to require all purchasers to
2 be licensed and subject to regulation and inspection. To facilitate
3 the ability to track catalytic converters, the legislature further
4 intends to require permanent marking of catalytic converters for the
5 purpose of identifying the originating vehicle. The legislature also
6 intends to create a related structure for enforcing these provisions
7 and imposing penalties commensurate with the enforcement and penalty
8 structures found in comparable areas of law.

9 NEW SECTION. **Sec. 2.** A new section is added to chapter 19.290
10 RCW to read as follows:

11 Nothing in this chapter shall be construed to authorize licensed
12 scrap metal businesses to purchase or sell junk vehicles or major
13 component parts as defined in RCW 46.79.010.

14 **Sec. 3.** RCW 19.290.010 and 2023 c 125 s 2 are each amended to
15 read as follows:

16 The definitions in this section apply throughout this chapter
17 unless the context clearly requires otherwise.

18 (1) "Commercial account" means a relationship between a scrap
19 metal business and a commercial enterprise that is ongoing and
20 properly documented under RCW 19.290.030.

21 (2) "Commercial enterprise" means a corporation, partnership,
22 limited liability company, association, state agency, political
23 subdivision of the state, public corporation, or any other legal or
24 commercial entity.

25 (3) "Commercial metal property" means: Utility access covers;
26 street light poles and fixtures; road and bridge guardrails; highway
27 or street signs; water meter covers; traffic directional and control
28 signs; traffic light signals; any metal property marked with the name
29 of a commercial enterprise, including but not limited to a telephone,
30 commercial mobile radio services, cable, electric, water, natural
31 gas, or other utility, or railroad; unused or undamaged building
32 construction materials consisting of copper pipe, tubing, or wiring,
33 or aluminum wire, siding, downspouts, or gutters; aluminum or
34 stainless steel fence panels made from one inch tubing, 42 inches
35 high with four-inch gaps; aluminum decking, bleachers, or risers;
36 historical markers; statue plaques; grave markers and funeral vases;
37 components of electric vehicle supply equipment made available for

1 commercial or public use; or agricultural irrigation wheels,
2 sprinkler heads, and pipes.

3 (4) "Engage in business" means conducting more than 12
4 transactions in a 12-month period.

5 (5) "Nonferrous metal property" means metal property for which
6 the value of the metal property is derived from the property's
7 content of copper, brass, aluminum, bronze, lead, zinc, nickel, and
8 their alloys. "Nonferrous metal property" does not include precious
9 metals.

10 (6) "Person" means an individual, domestic or foreign
11 corporation, limited liability corporation, partnership, trust,
12 unincorporated association, or other entity; an affiliate or
13 associate of any such person; or any two or more persons acting as a
14 partnership, syndicate, or other group for the purpose of acquiring,
15 holding, or dispersing of securities of a domestic or foreign
16 corporation.

17 (7) "Precious metals" means gold, silver, and platinum.

18 (8) (~~"Private metal property" means catalytic converters, either~~
19 ~~singly or in bundles, bales, or bulk, that have been removed from~~
20 ~~vehicles for sale as a specific commodity.~~

21 ~~(9))~~ "Record" means a paper, electronic, or other method of
22 storing information.

23 ~~((10))~~ (9) "Scrap metal business" means a scrap metal supplier,
24 scrap metal recycler, and scrap metal processor.

25 ~~((11))~~ (10) "Scrap metal processor" means a person with a
26 current business license that conducts business from a permanent
27 location, that is engaged in the business of purchasing or receiving
28 (~~(private metal property,)~~) nonferrous metal property~~((,))~~ and
29 commercial metal property for the purpose of altering the metal in
30 preparation for its use as feedstock in the manufacture of new
31 products, and that maintains a hydraulic bailer, shearing device, or
32 shredding device for recycling.

33 ~~((12))~~ (11) "Scrap metal recycler" means a person with a
34 current business license that is engaged in the business of
35 purchasing or receiving (~~(private metal property,)~~) nonferrous metal
36 property~~((,))~~ and commercial metal property for the purpose of
37 aggregation and sale to another scrap metal business and that
38 maintains a fixed place of business within the state.

39 ~~((13))~~ (12) "Scrap metal supplier" means a person with a
40 current business license that is engaged in the business of

1 purchasing or receiving (~~(private metal property or)~~) nonferrous
2 metal property for the purpose of aggregation and sale to a scrap
3 metal recycler or scrap metal processor and that does not maintain a
4 fixed business location in the state.

5 (~~(14)~~) (13) "Transaction" means a pledge, or the purchase of,
6 or the trade of any item of (~~(private metal property or)~~) nonferrous
7 metal property by a scrap metal business from a member of the general
8 public. "Transaction" does not include donations or the purchase or
9 receipt of (~~(private metal property or)~~) nonferrous metal property by
10 a scrap metal business from a commercial enterprise, from another
11 scrap metal business, or from a duly authorized employee or agent of
12 the commercial enterprise or scrap metal business.

13 **Sec. 4.** RCW 19.290.020 and 2022 c 221 s 3 are each amended to
14 read as follows:

15 (1) At the time of a transaction, every scrap metal business
16 doing business in this state shall produce wherever that business is
17 conducted an accurate and legible record of each transaction
18 involving (~~(private metal property or)~~) nonferrous metal property.
19 This record must be written in the English language, documented on a
20 standardized form or in electronic form, and contain the following
21 information:

22 (a) The signature of the person with whom the transaction is
23 made;

24 (b) The time, date, location, and value of the transaction;

25 (c) The name of the employee representing the scrap metal
26 business in the transaction;

27 (d) The name, street address, and telephone number of the person
28 with whom the transaction is made;

29 (e) The license plate number and state of issuance of the license
30 plate on the motor vehicle used to deliver the (~~(private metal
31 property or)~~) nonferrous metal property subject to the transaction;

32 (f) A description of the motor vehicle used to deliver the
33 (~~(private metal property or)~~) nonferrous metal property subject to
34 the transaction;

35 (g) The current driver's license number or other government-
36 issued picture identification card number of the seller or a copy of
37 the seller's government-issued picture identification card; and

38 (h) A description of the predominant types of (~~(private metal
39 property or)~~) nonferrous metal property subject to the transaction,

1 utilizing the institute of scrap recycling industries' generally
2 accepted terminology, and including weight, quantity, or volume(~~+~~
3 and

4 ~~(i) For every transaction specifically involving a catalytic~~
5 ~~converter that has been removed from a vehicle, documentation~~
6 ~~indicating that the private metal property in the seller's possession~~
7 ~~is the result of the seller replacing private metal property from a~~
8 ~~vehicle registered in the seller's name)).~~

9 (2) For every transaction that involves (~~private metal property~~
10 ~~or~~) nonferrous metal property, every scrap metal business doing
11 business in the state shall require the person with whom a
12 transaction is being made to sign a declaration. The declaration may
13 be included as part of the transactional record required under
14 subsection (1) of this section, or on a receipt for the transaction.
15 The declaration must state substantially the following:

16 "I, the undersigned, affirm under penalty of law that the
17 property that is subject to this transaction is not to the best of my
18 knowledge stolen property."

19 The declaration must be signed and dated by the person with whom
20 the transaction is being made. An employee of the scrap metal
21 business must witness the signing and dating of the declaration and
22 sign the declaration accordingly before any transaction may be
23 consummated.

24 (3) The record and declaration required under this section must
25 be open to the inspection of any commissioned law enforcement officer
26 of the state or any of its political subdivisions at all times during
27 the ordinary hours of business, or at reasonable times if ordinary
28 hours of business are not kept, and must be maintained wherever that
29 business is conducted for five years following the date of the
30 transaction.

31 **Sec. 5.** RCW 19.290.030 and 2022 c 221 s 4 are each amended to
32 read as follows:

33 (1) No scrap metal business may enter into a transaction to
34 purchase or receive (~~private metal property or~~) nonferrous metal
35 property from any person who cannot produce at least one piece of
36 current government-issued picture identification, including a valid
37 driver's license or identification card issued by any state.

38 (2) No scrap metal business may purchase or receive (~~private~~
39 ~~metal property or~~) commercial metal property unless the seller: (a)

1 Has a commercial account with the scrap metal business; (b) can prove
2 ownership of the property by producing written documentation that the
3 seller is the owner of the property; or (c) can produce written
4 documentation that the seller is an employee or agent authorized to
5 sell the property on behalf of a commercial enterprise.

6 (3) No scrap metal business may enter into a transaction to
7 purchase or receive metallic wire that was burned in whole or in part
8 to remove insulation unless the seller can produce written proof to
9 the scrap metal business that the wire was lawfully burned.

10 (4) (a) No transaction involving (~~private metal property or~~)
11 nonferrous metal property may be made in cash or with any person who
12 does not provide a street address and photographic identification and
13 sign a declaration under the requirements of RCW 19.290.020 (~~(1) (d)~~
14 ~~and (g)~~) except as described in (b) (~~and (e)~~) of this subsection.
15 The person with whom the transaction is being made may only be paid
16 by a nontransferable check, mailed by the scrap metal business to a
17 street address provided under RCW 19.290.020, no earlier than three
18 days after the transaction was made. A transaction occurs on the date
19 provided in the record required under RCW 19.290.020.

20 (b) A scrap metal business that is in compliance with this
21 chapter may pay up to a maximum of \$30 in cash, stored value device,
22 or electronic funds transfer for nonferrous metal property. The
23 balance of the value of the transaction may be made by
24 nontransferable check, stored value device, or electronic funds
25 transfer at the time the transaction is made if the scrap metal
26 business digitally captures:

27 (i) A copy of one piece of current government-issued picture
28 identification, including a current driver's license or
29 identification card issued by any state; and

30 (ii) Either a picture or video of either the material subject to
31 the transaction in the form received or the material subject to the
32 transaction within the vehicle which the material was transported to
33 the scrap metal business.

34 (~~(c) Payment to individual sellers of private metal property as~~
35 ~~defined in this chapter may not be made at the time of the~~
36 ~~transaction and shall not be paid earlier than three business days~~
37 ~~after the transaction was made. Records of payment for private metal~~
38 ~~property as defined in this chapter must be kept in the same file or~~
39 ~~record as all records collected under this subsection and retained~~

1 ~~and be available for review for two years from the date of the~~
2 ~~transaction.)~~)

3 (5) (a) A scrap metal business's usage of video surveillance shall
4 be sufficient to comply with subsection (4) (b) (ii) of this section so
5 long as the video captures the material subject to the transaction.

6 (b) A digital image or picture taken under this section must be
7 available for two years from the date of transaction, while a video
8 recording must be available for 30 days.

9 (6) No scrap metal business may purchase or receive beer kegs
10 from anyone except a manufacturer of beer kegs or licensed brewery.

11 **Sec. 6.** RCW 19.290.040 and 2013 c 322 s 7 are each amended to
12 read as follows:

13 (1) Every scrap metal business must create and maintain a
14 permanent record with a commercial enterprise, including another
15 scrap metal business, in order to establish a commercial account.
16 That record, at a minimum, must include the following information:

17 (a) The full name of the commercial enterprise or commercial
18 account;

19 (b) The business address and telephone number of the commercial
20 enterprise or commercial account; and

21 (c) The full name of the person employed by the commercial
22 enterprise who is authorized to deliver (~~(private metal property,)~~)
23 nonferrous metal property(~~(,)~~) and commercial metal property to the
24 scrap metal business.

25 (2) The record maintained by a scrap metal business for a
26 commercial account must document every purchase or receipt of
27 (~~(private metal property,)~~) nonferrous metal property(~~(,)~~) and
28 commercial metal property from the commercial enterprise. The record
29 must be maintained for three years following the date of the transfer
30 or receipt. The documentation must include, at a minimum, the
31 following information:

32 (a) The time, date, and value of the property being purchased or
33 received;

34 (b) A description of the predominant types of property being
35 purchased or received; and

36 (c) The signature of the person delivering the property to the
37 scrap metal business.

1 **Sec. 7.** RCW 19.290.050 and 2013 c 322 s 8 are each amended to
2 read as follows:

3 (1) (~~Upon~~) In addition to all other requirements of this
4 chapter, upon request by any commissioned law enforcement officer of
5 the state or any of its political subdivisions, every scrap metal
6 business shall furnish a full, true, and correct transcript of the
7 records from the purchase or receipt of (~~private metal property,~~)
8 nonferrous metal property((~~r~~)) and commercial metal property
9 involving only a specified individual, vehicle, or item of (~~private~~
10 ~~metal property,~~) nonferrous metal property((~~r~~)) or commercial metal
11 property. This information may be transmitted within a specified time
12 of not less than two business days to the applicable law enforcement
13 agency electronically, by facsimile transmission, or by modem or
14 similar device, or by delivery of computer disk subject to the
15 requirements of, and approval by, the chief of police or the county's
16 chief law enforcement officer.

17 (2) Any records created or produced under this section are exempt
18 from disclosure under chapter 42.56 RCW.

19 (3) If the scrap metal business has good cause to believe that
20 any (~~private metal property,~~) nonferrous metal property((~~r~~)) or
21 commercial metal property in (~~his or her~~) their possession has been
22 previously lost or stolen, the scrap metal business shall promptly
23 report that fact to the applicable commissioned law enforcement
24 officer of the state, the chief of police, or the county's chief law
25 enforcement officer, together with the name of the owner, if known,
26 and the date when and the name of the person from whom it was
27 received.

28 (4) Compliance with this section shall not give rise to or form
29 the basis of private civil liability on the part of a scrap metal
30 business or scrap metal recycler.

31 **Sec. 8.** RCW 19.290.060 and 2013 c 322 s 9 are each amended to
32 read as follows:

33 (1) Following notification in writing from a commissioned law
34 enforcement officer of the state or any of its political subdivisions
35 that an item of (~~private metal property,~~) nonferrous metal
36 property((~~r~~)) or commercial metal property has been reported as
37 stolen, a scrap metal business shall hold that property intact and
38 safe from alteration, damage, or commingling, and shall place an
39 identifying tag or other suitable identification upon the property.

1 The scrap metal business shall hold the property for a period of time
2 as directed by the applicable law enforcement agency up to a maximum
3 of ten business days.

4 (2) A commissioned law enforcement officer of the state or any of
5 its political subdivisions shall not place on hold any item of
6 (~~private metal property~~) nonferrous metal property(~~(r)~~) or
7 commercial metal property unless that law enforcement agency
8 reasonably suspects that the property is a lost or stolen item. Any
9 hold that is placed on the property must be removed within ten
10 business days after the property on hold is determined not to be
11 stolen or lost and the property must be returned to the owner or
12 released.

13 **Sec. 9.** RCW 19.290.080 and 2007 c 377 s 8 are each amended to
14 read as follows:

15 (1) Each violation of the requirements of this chapter that are
16 not subject to the criminal penalties under RCW (~~19.290.070~~)
17 9A.56.410 shall be punishable(~~(r upon conviction)~~) by a fine of not
18 more than one thousand dollars.

19 (2) Within two years (~~of being convicted~~) of a violation of any
20 of the requirements of this chapter that (~~are not subject to the~~
21 ~~criminal penalties under RCW 19.290.070~~) results in a civil penalty
22 under this section, each subsequent violation shall be punishable(~~(r~~
23 ~~upon conviction)~~) by a fine of not more than two thousand dollars.

24 **Sec. 10.** RCW 19.290.220 and 2013 c 322 s 25 are each amended to
25 read as follows:

26 (1) Law enforcement agencies may register with the scrap theft
27 alert system that is maintained and provided at no charge to users by
28 the institute of scrap recycling industries, incorporated, or its
29 successor organization, to receive alerts regarding thefts of
30 (~~private~~) nonferrous(~~(r)~~) or commercial metal property in the
31 relevant geographic area.

32 (2) Any business licensed under this chapter shall:

33 (a) Sign up with the scrap theft alert system that is maintained
34 and provided at no charge to users by the institute of scrap
35 recycling industries, incorporated, or its successor organization, to
36 receive alerts regarding thefts of (~~private~~) nonferrous(~~(r)~~) or
37 commercial metal property in the relevant geographic area;

1 (b) Download the scrap metal theft alerts generated by the scrap
2 theft alert system on a daily basis;

3 (c) Use the alerts to identify potentially stolen commercial
4 metal property(~~(r)~~) and nonferrous metal property(~~(r—and private~~
5 ~~metal property)~~); and

6 (d) Maintain for (~~(ninety)~~) 90 days copies of any theft alerts
7 received and downloaded pursuant to this section.

8 **Sec. 11.** RCW 19.290.240 and 2013 c 322 s 28 are each amended to
9 read as follows:

10 The provisions of this chapter shall be liberally construed to
11 the end that traffic in stolen (~~(private)~~) commercial metal property
12 (~~(or)~~) and nonferrous metal property may be prevented, and
13 irresponsible, unreliable, or dishonest persons may be prevented from
14 engaging in the business of processing, recycling, or supplying scrap
15 metal in this state and reliable persons may be encouraged to engage
16 in businesses of processing, recycling, or supplying scrap metal in
17 this state.

18 NEW SECTION. **Sec. 12.** A new section is added to chapter 46.70
19 RCW to read as follows:

20 (1) A vehicle dealer shall, prior to the sale and transfer of a
21 vehicle, offer the purchaser the option to have the dealer clearly
22 and permanently mark the last eight digits of the originating
23 vehicle's vehicle identification number on the vehicle's catalytic
24 converter unless such marking already exists on the catalytic
25 converter, the catalytic converter is not in a location where it is
26 clearly visible and readily accessible to mark without the need to
27 remove parts from the vehicle, or the vehicle is sold at wholesale. A
28 clear and permanent mark applied by permanent marker is sufficient.
29 The vehicle dealer may add a fee to the sale price for the marking if
30 separately delineated and clearly marked.

31 (2) If a consumer elects not to have the vehicle dealer mark the
32 vehicle's catalytic converter as provided in subsection (1) of this
33 section, the vehicle dealer must obtain the purchaser's signature on
34 a disclosure stating in arial font and at least 14 point type that
35 (a) the purchaser is knowingly purchasing the vehicle without clearly
36 and permanently marking the catalytic converter prior to the sale and
37 transfer of the vehicle; and (b) the purchaser acknowledges and

1 understands that catalytic converters must be marked as provided in
2 section 23 of this act.

3 (3) Beginning April 1, 2025, the Washington state patrol may
4 grant a vehicle dealer an exception to the requirements of this
5 section if it determines that meeting the requirements would impose
6 an unreasonable financial hardship on the vehicle dealer in
7 accordance with the policies established pursuant to section 22 of
8 this act.

9 **Sec. 13.** RCW 46.79.010 and 2001 c 64 s 10 are each amended to
10 read as follows:

11 The definitions set forth in this section apply throughout this
12 chapter unless the context indicates otherwise.

13 (1) "Junk vehicle" means a motor vehicle certified under RCW
14 46.55.230 as meeting all the following requirements:

15 (a) Is three years old or older;

16 (b) Is extensively damaged, such damage including but not limited
17 to any of the following: A broken window or windshield or missing
18 wheels, tires, motor, or transmission;

19 (c) Is apparently inoperable;

20 (d) Is without a valid, current registration plate;

21 (e) Has a fair market value equal only to the value of the scrap
22 in it.

23 (2) "Scrap processor" means a licensed establishment that
24 maintains a hydraulic baler and shears, or a shredder for recycling
25 salvage.

26 (3) "Demolish" means to destroy completely by use of a hydraulic
27 baler and shears, or a shredder.

28 (4) "Hulk hauler" means any person who deals in vehicles for the
29 sole purpose of transporting and/or selling them to a licensed
30 vehicle wrecker or scrap processor in substantially the same form in
31 which they are obtained. A hulk hauler may not sell secondhand motor
32 vehicle parts to anyone other than a licensed vehicle wrecker or
33 scrap processor, except for those parts specifically enumerated in
34 RCW 46.79.020(2), as now or hereafter amended, which may be sold to a
35 licensed vehicle wrecker or disposed of at a public facility for
36 waste disposal.

37 (5) "Director" means the director of licensing.

38 (6) "Major component parts" include engines and short blocks,
39 frames, transmissions or transfer cases, cabs, doors, front or rear

1 differentials, front or rear clips, quarter panels or fenders,
2 bumpers, truck beds or boxes, seats, (~~and~~) hoods, and catalytic
3 converters.

4 NEW SECTION. **Sec. 14.** A new section is added to chapter 46.79
5 RCW to read as follows:

6 (1) No person may engage in the business of disassembling or de-
7 canning a catalytic converter for removal or processing of the
8 internal core to extract platinum, palladium, rhodium, or other
9 metals, unless the person is a licensed scrap processor under this
10 chapter.

11 (2) Any licensed scrap processor engaged in disassembling or de-
12 canning catalytic converters as described in this section shall
13 maintain the records of every catalytic converter the scrap processor
14 disassembles or de-cans in accordance with the recordkeeping
15 requirements of this chapter and other provisions of the law.

16 (3) Any licensed scrap processor engaged in disassembling or de-
17 canning catalytic converters as described in this section shall
18 implement a 30-day waiting period between the purchase and
19 disassembly or de-canning of a catalytic converter, unless the scrap
20 processor is also the registered owner of the originating vehicle.

21 NEW SECTION. **Sec. 15.** A new section is added to chapter 46.79
22 RCW to read as follows:

23 (1) Payment to individual sellers of catalytic converters that
24 have been removed from a vehicle may not be made at the time of the
25 transaction and shall not be paid earlier than three business days
26 after the transaction was made.

27 (2) No transaction involving catalytic converters that have been
28 removed from a vehicle may be made in cash or with any person who
29 does not provide a street address and photographic identification.
30 The person with whom the transaction is being made may only be paid
31 by a nontransferable check, mailed by the licensed scrap processor to
32 the street address recorded according to this section, no earlier
33 than three days after the transaction was made. A transaction occurs
34 on the date provided in the record required under this section.

35 (3) A record of each purchase of catalytic converters that have
36 been removed from a vehicle must be kept for three years following
37 the date of the transaction and be open to inspection by any
38 commissioned law enforcement officer of the state or any of its

1 political subdivisions at all times during the ordinary hours of
2 business, or at reasonable times if ordinary hours of business are
3 not kept. The record shall include, at a minimum, the following
4 elements:

5 (a) The time, date, location, and value of the transaction;

6 (b) The name of the employee representing the scrap processor in
7 the transaction;

8 (c) The name, street address, and telephone number of the person
9 with whom the transaction is made;

10 (d) The license plate number and state of issuance of the license
11 plate on the motor vehicle used to deliver the catalytic converter or
12 converters subject to the transaction;

13 (e) A description of the motor vehicle used to deliver the
14 catalytic converter or converters subject to the transaction;

15 (f) A copy of the seller's current driver's license or other
16 government-issued picture identification card;

17 (g) The vehicle identification number of the vehicle from which
18 the catalytic converter was removed;

19 (h) A declaration signed by the seller that states substantially
20 the following:

21 "I, the undersigned, affirm under penalty of law that the
22 property that is subject to this transaction is not to the best of my
23 knowledge stolen property and the information provided by me is
24 accurate."; and

25 (i) A photo of the catalytic converter that includes the vehicle
26 identification number marking required under section 23 of this act.

27 (4) This section does not apply to the purchase of material from
28 a licensed business that manufactures catalytic converters in the
29 ordinary course of its legal business.

30 NEW SECTION. **Sec. 16.** A new section is added to chapter 46.79
31 RCW to read as follows:

32 The license fees required under RCW 46.79.040 and 46.79.050 for a
33 scrap processor's license must also include a \$500 catalytic
34 converter inspection fee, to be deposited in the state patrol highway
35 account, in order to support the activities of the Washington state
36 patrol under section 21 of this act.

37 **Sec. 17.** RCW 46.80.010 and 2010 c 161 s 1138 and 2010 c 8 s 9097
38 are each reenacted and amended to read as follows:

1 The definitions set forth in this section apply throughout this
2 chapter.

3 (1) "Core" means a major component part received by a vehicle
4 wrecker in exchange for a like part sold by the vehicle wrecker, is
5 not resold as a major component part except for scrap metal value or
6 for remanufacture, and the vehicle wrecker maintains records for
7 three years from the date of acquisition to identify the name of the
8 person from whom the core was received.

9 (2) "Established place of business" means a building or enclosure
10 which the vehicle wrecker occupies either continuously or at regular
11 periods and where his or her books and records are kept and business
12 is transacted and which must conform with zoning regulations.

13 (3) "Interim owner" means the owner of a vehicle who has the
14 original certificate of title for the vehicle, which certificate has
15 been released by the person named on the certificate and assigned to
16 the person offering to sell the vehicle to the wrecker.

17 (4) "Major component part" includes at least each of the
18 following vehicle parts: (a) Engines and short blocks; (b) frame; (c)
19 transmission and/or transfer case; (d) cab; (e) door; (f) front or
20 rear differential; (g) front or rear clip; (h) quarter panel; (i)
21 truck bed or box; (j) seat; (k) hood; (l) bumper; (m) fender; ~~((and))~~
22 (n) airbag; and (o) catalytic converter. The director may supplement
23 this list by rule.

24 (5) "Vehicle wrecker" means every person, firm, partnership,
25 association, or corporation engaged in the business of buying,
26 selling, or dealing in vehicles of a type required to be registered
27 under the laws of this state, for the purpose of wrecking,
28 dismantling, disassembling, or substantially changing the form of a
29 vehicle, or who buys or sells integral secondhand parts of component
30 material thereof, in whole or in part, or who deals in secondhand
31 vehicle parts.

32 (6) "Wrecked vehicle" means a vehicle which is disassembled or
33 dismantled or a vehicle which is acquired with the intent to
34 dismantle or disassemble and never again to operate as a vehicle, or
35 a vehicle which has sustained such damage that its cost to repair
36 exceeds the fair market value of a like vehicle which has not
37 sustained such damage, or a damaged vehicle whose salvage value plus
38 cost to repair equals or exceeds its fair market value, if repaired,
39 or a vehicle which has sustained such damage or deterioration that it
40 may not lawfully operate upon the highways of this state for which

1 the salvage value plus cost to repair exceeds its fair market value,
2 if repaired; further, it is presumed that a vehicle is a wreck if it
3 has sustained such damage or deterioration that it may not lawfully
4 operate upon the highways of this state.

5 **Sec. 18.** RCW 46.80.080 and 2022 c 221 s 7 are each amended to
6 read as follows:

7 (1) Every vehicle wrecker shall maintain books or files in which
8 the wrecker shall keep a record and a description of:

9 (a) Every vehicle wrecked, dismantled, disassembled, or
10 substantially altered by the wrecker; and

11 (b) Every major component part, including catalytic converters,
12 acquired by the wrecker; together with a bill of sale signed by a
13 seller whose identity has been verified and the name and address of
14 the person, firm, or corporation from whom the wrecker purchased the
15 vehicle or part. Major component parts other than cores shall be
16 further identified by the vehicle identification number of the
17 vehicle from which the part came.

18 (2) The record shall also contain the following data regarding
19 the wrecked or acquired vehicle or vehicle that is the source of a
20 major component part, including catalytic converters, other than a
21 core:

22 (a) The certificate of title number (if previously titled in this
23 or any other state);

24 (b) Name of state where last registered;

25 (c) Number of the last license number plate issued;

26 (d) Name of vehicle;

27 (e) Motor or identification number and serial number of the
28 vehicle;

29 (f) Date purchased;

30 (g) Disposition of the motor and chassis;

31 (h) Yard number assigned by the licensee to the vehicle or major
32 component part, which shall also appear on the identified vehicle or
33 part; and

34 (i) Such other information as the department may require.

35 (3) The records shall also contain a bill of sale signed by the
36 seller for other minor component parts, including catalytic
37 converters, acquired by the licensee, identifying the seller by name,
38 address, and date of sale.

1 (4) In addition to all other requirements of this chapter, the
2 records of each transaction involving the purchase of catalytic
3 converters that have been removed from a vehicle shall also include,
4 at a minimum, the following elements:

5 (a) The time, date, location, and value of the transaction;

6 (b) The name of the employee representing the vehicle wrecker in
7 the transaction;

8 (c) The name, street address, and telephone number of the person
9 with whom the transaction is made;

10 (d) The license plate number and state of issuance of the license
11 plate on the motor vehicle used to deliver the catalytic converter or
12 converters subject to the transaction;

13 (e) A description of the motor vehicle used to deliver the
14 catalytic converter or converters subject to the transaction;

15 (f) A copy of the seller's current driver's license or other
16 government-issued picture identification card;

17 (g) The vehicle identification number of the vehicle from which
18 the catalytic converter was removed;

19 (h) A declaration signed by the seller that states substantially
20 the following:

21 "I, the undersigned, affirm under penalty of law that the
22 property that is subject to this transaction is not to the best of my
23 knowledge stolen property and the information provided by me is
24 accurate."; and

25 (i) A photo of the catalytic converter that includes the vehicle
26 identification number marking required under section 23 of this act.

27 (5) The records shall be maintained by the licensee at his or her
28 established place of business for a period of three years from the
29 date of acquisition.

30 ~~((+5))~~ (6) The record is subject to inspection at all times
31 during regular business hours by members of the police department,
32 sheriff's office, members of the Washington state patrol, or officers
33 or employees of the department.

34 ~~((+6))~~ (7) A vehicle wrecker shall also maintain a similar
35 record of all disabled vehicles that have been towed or transported
36 to the vehicle wrecker's place of business or to other places
37 designated by the owner of the vehicle or his or her representative.
38 This record shall specify the name and description of the vehicle,
39 name of owner, number of license plate, condition of the vehicle and
40 place to which it was towed or transported.

1 ~~((7))~~ (8) Failure to comply with this section is a gross
2 misdemeanor.

3 **Sec. 19.** RCW 46.80.210 and 2022 c 221 s 6 are each amended to
4 read as follows:

5 (1) Payment to individual sellers of ~~((private metal property as~~
6 defined in RCW 19.290.010)) catalytic converters that have been
7 removed from a vehicle may not be made at the time of the transaction
8 and shall not be paid earlier than three business days after the
9 transaction was made.

10 (2) No transaction involving catalytic converters that have been
11 removed from a vehicle may be made in cash or with any person who
12 does not provide a street address and photographic identification.
13 The person with whom the transaction is being made may only be paid
14 by a nontransferable check, mailed by the licensed auto wrecker to a
15 street address recorded according to RCW 46.80.080, no earlier than
16 three days after the transaction was made. A transaction occurs on
17 the date provided in the record required under RCW 46.80.080.

18 (3) This section does not apply to the purchase of material from
19 a licensed business that manufactures catalytic converters in the
20 ordinary course of its legal business.

21 NEW SECTION. **Sec. 20.** A new section is added to chapter 46.80
22 RCW to read as follows:

23 The license fees required under RCW 46.80.040 and 46.80.050 must
24 also include a \$500 catalytic converter inspection fee, to be
25 deposited in the state patrol highway account, in order to support
26 the activities of the Washington state patrol under section 21 of
27 this act.

28 NEW SECTION. **Sec. 21.** A new section is added to chapter 43.43
29 RCW to read as follows:

30 Subject to the availability of amounts appropriated for this
31 specific purpose, the Washington state patrol shall:

32 (1) Conduct periodic inspections at least once a year of all
33 licensed purchasers of catalytic converters that have been removed
34 from vehicles that are licensed under chapter 46.79 or 46.80 RCW;

35 (2) Develop a standardized inspection form and train local law
36 enforcement agencies, civilian employees, and limited authority law

1 enforcement personnel on inspection procedures of licensed
2 purchasers;

3 (3) Specify which specific law enforcement agencies have a duty
4 to inspect the different business types that are licensed to purchase
5 catalytic converters; and

6 (4) Authorize inspections to be conducted by civilian employees
7 or limited authority law enforcement agencies if necessary to
8 increase the availability of potential inspectors, provided that the
9 Washington state patrol shall retain oversight of such inspections.

10 NEW SECTION. **Sec. 22.** A new section is added to chapter 43.43
11 RCW to read as follows:

12 By November 1, 2024, and subject to the availability of amounts
13 appropriated for this specific purpose, the Washington state patrol
14 shall establish a process for evaluating and granting exemptions to
15 vehicle dealers from the catalytic converter permanent marking
16 requirements under section 12 of this act, including by developing
17 and publishing a list of factors and circumstances that must be
18 considered when determining whether meeting the requirements under
19 section 12 of this act would impose an unreasonable financial
20 hardship on a vehicle dealer.

21 NEW SECTION. **Sec. 23.** A new section is added to chapter 9A.82
22 RCW to read as follows:

23 (1) Any person who removes a catalytic converter from a vehicle
24 for a purpose other than maintenance, repair, or demolition, or who
25 knowingly possesses an unmarked detached catalytic converter, must
26 permanently mark the detached catalytic converter with the last eight
27 digits of the originating vehicle's vehicle identification number
28 such that at least a portion of the marking is visible from any side.
29 The marking must be completed in a reasonable time after removal, but
30 no later than 24 hours after removal, and before off-site transport
31 of the detached catalytic converter.

32 (2) Detached catalytic converters that are not marked as required
33 by this section are subject to immediate seizure and forfeiture by
34 law enforcement.

35 (3) (a) Except as provided in (b) of this subsection, it is a
36 gross misdemeanor for any person to intentionally remove, alter or
37 obliterate from a detached catalytic converter the last eight digits

1 of the originating vehicle identification number, as required by
2 subsection (1) of this section.

3 (b) A person who intentionally removes, alters, or obliterates
4 from a detached catalytic converter the last eight digits of the
5 original vehicle identification number is guilty of a class C felony
6 punishable according to chapter 9A.20 RCW if the person has
7 previously been convicted under this subsection.

8 (4) It is a gross misdemeanor for any person who is not a scrap
9 processor licensed under chapter 46.79 RCW or vehicle wrecker
10 licensed under chapter 46.80 RCW to knowingly possess, sell, or offer
11 for sale six or fewer detached catalytic converters that do not
12 comply with the marking requirements under subsection (1) of this
13 section.

14 (5) It is a class C felony for any person who is not a scrap
15 processor licensed under chapter 46.79 RCW or vehicle wrecker
16 licensed under chapter 46.80 RCW to knowingly possess, sell, or offer
17 for sale seven or more detached catalytic converters that do not
18 comply with the marking requirements under subsection (1) of this
19 section.

20 (6) Where a case is legally sufficient to charge an alleged
21 juvenile offender with a violation under this section, and that
22 violation would be the alleged offender's first violation involving
23 detached catalytic converters, the prosecutor is encouraged to divert
24 the case pursuant to RCW 13.40.070.

25 (7) It is an affirmative defense to this section that the
26 possessor removed the detached catalytic converter with the
27 permission of the registered owner of the vehicle or vehicles.

28 NEW SECTION. **Sec. 24.** A new section is added to chapter 9A.82
29 RCW to read as follows:

30 (1) A person is guilty of trafficking in catalytic converters in
31 the first degree if the person knowingly:

32 (a) Traffics seven or more catalytic converters that have been
33 removed from a motor vehicle, without fulfilling the requirements
34 under chapter 46.79 or 46.80 RCW for lawful transfer; or

35 (b) Purchases a catalytic converter that has been removed from a
36 motor vehicle, without possessing a valid scrap processor license
37 under chapter 46.79 RCW or vehicle wrecker license under chapter
38 46.80 RCW.

1 (2) Trafficking in catalytic converters in the first degree is a
2 class C felony.

3 NEW SECTION. **Sec. 25.** A new section is added to chapter 9.94A
4 RCW to read as follows:

5 The court shall make a finding of fact of the special allegation
6 or, if a jury is had, the jury shall, if it finds the defendant
7 guilty, also find a special verdict as to the special allegation, in
8 a criminal case where:

9 (1) The defendant has been convicted of trafficking in catalytic
10 converters in the first degree; and

11 (2) There has been a special allegation pleaded and proven beyond
12 a reasonable doubt that the defendant knowingly (a) trafficked seven
13 or more catalytic converters that were removed from a motor vehicle
14 without fulfilling the requirements under chapter 46.79 or 46.80 RCW
15 for lawful transfer; or (b) purchased a catalytic converter that has
16 been removed from a motor vehicle without possessing a valid scrap
17 processor license under chapter 46.79 RCW or vehicle wrecker license
18 under chapter 46.80 RCW, for the purpose of selling, transferring, or
19 exchanging them online.

20 NEW SECTION. **Sec. 26.** A new section is added to chapter 9A.82
21 RCW to read as follows:

22 (1) A person is guilty of trafficking in catalytic converters in
23 the second degree if the person knowingly traffics six or fewer
24 catalytic converters that have been removed from a motor vehicle,
25 without fulfilling the requirements under chapter 46.79 or 46.80 RCW
26 for lawful transfer.

27 (2) Trafficking in catalytic converters in the second degree is a
28 class C felony.

29 **Sec. 27.** RCW 9A.82.010 and 2013 c 302 s 10 are each amended to
30 read as follows:

31 Unless the context requires the contrary, the definitions in this
32 section apply throughout this chapter.

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

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

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

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

7 (b) "Beneficial interest" does not include the interest of a
8 stockholder in a corporation or the interest of a partner in a
9 general partnership or limited partnership.

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

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

14 (3) "Creditor" means a person making an extension of credit or a
15 person claiming by, under, or through a person making an extension of
16 credit.

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

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

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

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

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

29 (e) Theft, as defined in RCW 9A.56.030, 9A.56.040, 9A.56.060,
30 9A.56.080, and 9A.56.083;

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

33 (g) Theft of telecommunication services or unlawful manufacture
34 of a telecommunication device, as defined in RCW 9A.56.262 and
35 9A.56.264;

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

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

39 (j) Gambling, as defined in RCW 9.46.220 and 9.46.215 and
40 9.46.217;

1 (k) Extortion, as defined in RCW 9A.56.120 and 9A.56.130;
2 (l) Unlawful production of payment instruments, unlawful
3 possession of payment instruments, unlawful possession of a personal
4 identification device, unlawful possession of fictitious
5 identification, or unlawful possession of instruments of financial
6 fraud, as defined in RCW 9A.56.320;
7 (m) Extortionate extension of credit, as defined in RCW
8 9A.82.020;
9 (n) Advancing money for use in an extortionate extension of
10 credit, as defined in RCW 9A.82.030;
11 (o) Collection of an extortionate extension of credit, as defined
12 in RCW 9A.82.040;
13 (p) Collection of an unlawful debt, as defined in RCW 9A.82.045;
14 (q) Delivery or manufacture of controlled substances or
15 possession with intent to deliver or manufacture controlled
16 substances under chapter 69.50 RCW;
17 (r) Trafficking in stolen property, as defined in RCW 9A.82.050;
18 (s) Leading organized crime, as defined in RCW 9A.82.060;
19 (t) Money laundering, as defined in RCW 9A.83.020;
20 (u) Obstructing criminal investigations or prosecutions in
21 violation of RCW 9A.72.090, 9A.72.100, 9A.72.110, 9A.72.120,
22 9A.72.130, 9A.76.070, or 9A.76.180;
23 (v) Fraud in the purchase or sale of securities, as defined in
24 RCW 21.20.010;
25 (w) Promoting pornography, as defined in RCW 9.68.140;
26 (x) Sexual exploitation of children, as defined in RCW 9.68A.040,
27 9.68A.050, and 9.68A.060;
28 (y) Promoting prostitution, as defined in RCW 9A.88.070 and
29 9A.88.080;
30 (z) Arson, as defined in RCW 9A.48.020 and 9A.48.030;
31 (aa) Assault, as defined in RCW 9A.36.011 and 9A.36.021;
32 (bb) Assault of a child, as defined in RCW 9A.36.120 and
33 9A.36.130;
34 (cc) A pattern of equity skimming, as defined in RCW 61.34.020;
35 (dd) Commercial telephone solicitation in violation of RCW
36 19.158.040(1);
37 (ee) Trafficking in insurance claims, as defined in RCW
38 48.30A.015;
39 (ff) Unlawful practice of law, as defined in RCW 2.48.180;
40 (gg) Commercial bribery, as defined in RCW 9A.68.060;

1 (hh) Health care false claims, as defined in RCW 48.80.030;
2 (ii) Unlicensed practice of a profession or business, as defined
3 in RCW 18.130.190(7);
4 (jj) Improperly obtaining financial information, as defined in
5 RCW 9.35.010;
6 (kk) Identity theft, as defined in RCW 9.35.020;
7 (ll) Unlawful shipment of cigarettes in violation of RCW
8 70.155.105(6) (a) or (b);
9 (mm) Unlawful shipment of cigarettes in violation of RCW
10 82.24.110(2);
11 (nn) Unauthorized sale or procurement of telephone records in
12 violation of RCW 9.26A.140;
13 (oo) Theft with the intent to resell, as defined in RCW
14 9A.56.340;
15 (pp) Organized retail theft, as defined in RCW 9A.56.350;
16 (qq) Mortgage fraud, as defined in RCW 19.144.080;
17 (rr) Commercial sexual abuse of a minor, as defined in RCW
18 9.68A.100;
19 (ss) Promoting commercial sexual abuse of a minor, as defined in
20 RCW 9.68A.101; ((~~tt~~))
21 (tt) Trafficking, as defined in RCW 9A.40.100, promoting travel
22 for commercial sexual abuse of a minor, as defined in RCW 9.68A.102,
23 and permitting commercial sexual abuse of a minor, as defined in RCW
24 9.68A.103; or
25 (uu) Trafficking in catalytic converters, as defined in sections
26 24 and 26 of this act.

27 (5) "Dealer in property" means a person who buys and sells
28 property as a business.

29 (6) "Debtor" means a person to whom an extension of credit is
30 made or a person who guarantees the repayment of an extension of
31 credit or in any manner undertakes to indemnify the creditor against
32 loss resulting from the failure of a person to whom an extension is
33 made to repay the same.

34 (7) "Documentary material" means any book, paper, document,
35 writing, drawing, graph, chart, photograph, phonograph record,
36 magnetic tape, computer printout, other data compilation from which
37 information can be obtained or from which information can be
38 translated into usable form, or other tangible item.

39 (8) "Enterprise" includes any individual, sole proprietorship,
40 partnership, corporation, business trust, or other profit or

1 nonprofit legal entity, and includes any union, association, or group
2 of individuals associated in fact although not a legal entity, and
3 both illicit and licit enterprises and governmental and
4 nongovernmental entities.

5 (9) "Extortionate extension of credit" means an extension of
6 credit with respect to which it is the understanding of the creditor
7 and the debtor at the time the extension is made that delay in making
8 repayment or failure to make repayment could result in the use of
9 violence or other criminal means to cause harm to the person,
10 reputation, or property of any person.

11 (10) "Extortionate means" means the use, or an express or
12 implicit threat of use, of violence or other criminal means to cause
13 harm to the person, reputation, or property of any person.

14 (11) "Financial institution" means any bank, trust company,
15 savings and loan association, savings bank, mutual savings bank,
16 credit union, or loan company under the jurisdiction of the state or
17 an agency of the United States.

18 (12) "Pattern of criminal profiteering activity" means engaging
19 in at least three acts of criminal profiteering, one of which
20 occurred after July 1, 1985, and the last of which occurred within
21 five years, excluding any period of imprisonment, after the
22 commission of the earliest act of criminal profiteering. In order to
23 constitute a pattern, the three acts must have the same or similar
24 intent, results, accomplices, principals, victims, or methods of
25 commission, or be otherwise interrelated by distinguishing
26 characteristics including a nexus to the same enterprise, and must
27 not be isolated events. However, in any civil proceedings brought
28 pursuant to RCW 9A.82.100 by any person other than the attorney
29 general or county prosecuting attorney in which one or more acts of
30 fraud in the purchase or sale of securities are asserted as acts of
31 criminal profiteering activity, it is a condition to civil liability
32 under RCW 9A.82.100 that the defendant has been convicted in a
33 criminal proceeding of fraud in the purchase or sale of securities
34 under RCW 21.20.400 or under the laws of another state or of the
35 United States requiring the same elements of proof, but such
36 conviction need not relate to any act or acts asserted as acts of
37 criminal profiteering activity in such civil action under RCW
38 9A.82.100.

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

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

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

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

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

14 (18) "To extend credit" means to make or renew a loan or to enter
15 into an agreement, tacit or express, whereby the repayment or
16 satisfaction of a debt or claim, whether acknowledged or disputed,
17 valid or invalid, and however arising, may or shall be deferred.

18 (19) "Traffic" means to sell, transfer, distribute, dispense, or
19 otherwise dispose of stolen property to another person, or to buy,
20 receive, possess, or obtain control of stolen property, with intent
21 to sell, transfer, distribute, dispense, or otherwise dispose of the
22 property to another person.

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

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

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

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

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

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

33 (ii) A trustee of any testamentary trust;

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

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

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

- 1 (a) In violation of any one of the following:
2 (i) Chapter 67.16 RCW relating to horse racing;
3 (ii) Chapter 9.46 RCW relating to gambling;
4 (b) In a gambling activity in violation of federal law; or
5 (c) In connection with the business of lending money or a thing
6 of value at a rate that is at least twice the permitted rate under
7 the applicable state or federal law relating to usury.

8 **Sec. 28.** RCW 9.94A.533 and 2020 c 330 s 1 and 2020 c 141 s 1 are
9 each reenacted and amended to read as follows:

10 (1) The provisions of this section apply to the standard sentence
11 ranges determined by RCW 9.94A.510 or 9.94A.517.

12 (2) For persons convicted of the anticipatory offenses of
13 criminal attempt, solicitation, or conspiracy under chapter 9A.28
14 RCW, the standard sentence range is determined by locating the
15 sentencing grid sentence range defined by the appropriate offender
16 score and the seriousness level of the completed crime, and
17 multiplying the range by seventy-five percent.

18 (3) The following additional times shall be added to the standard
19 sentence range for felony crimes committed after July 23, 1995, if
20 the offender or an accomplice was armed with a firearm as defined in
21 RCW 9.41.010 and the offender is being sentenced for one of the
22 crimes listed in this subsection as eligible for any firearm
23 enhancements based on the classification of the completed felony
24 crime. If the offender is being sentenced for more than one offense,
25 the firearm enhancement or enhancements must be added to the total
26 period of confinement for all offenses, regardless of which
27 underlying offense is subject to a firearm enhancement. If the
28 offender or an accomplice was armed with a firearm as defined in RCW
29 9.41.010 and the offender is being sentenced for an anticipatory
30 offense under chapter 9A.28 RCW to commit one of the crimes listed in
31 this subsection as eligible for any firearm enhancements, the
32 following additional times shall be added to the standard sentence
33 range determined under subsection (2) of this section based on the
34 felony crime of conviction as classified under RCW 9A.28.020:

35 (a) Five years for any felony defined under any law as a class A
36 felony or with a statutory maximum sentence of at least twenty years,
37 or both, and not covered under (f) of this subsection;

1 (b) Three years for any felony defined under any law as a class B
2 felony or with a statutory maximum sentence of ten years, or both,
3 and not covered under (f) of this subsection;

4 (c) Eighteen months for any felony defined under any law as a
5 class C felony or with a statutory maximum sentence of five years, or
6 both, and not covered under (f) of this subsection;

7 (d) If the offender is being sentenced for any firearm
8 enhancements under (a), (b), and/or (c) of this subsection and the
9 offender has previously been sentenced for any deadly weapon
10 enhancements after July 23, 1995, under (a), (b), and/or (c) of this
11 subsection or subsection (4)(a), (b), and/or (c) of this section, or
12 both, all firearm enhancements under this subsection shall be twice
13 the amount of the enhancement listed;

14 (e) Notwithstanding any other provision of law, all firearm
15 enhancements under this section are mandatory, shall be served in
16 total confinement, and shall run consecutively to all other
17 sentencing provisions, including other firearm or deadly weapon
18 enhancements, for all offenses sentenced under this chapter. However,
19 whether or not a mandatory minimum term has expired, an offender
20 serving a sentence under this subsection may be:

21 (i) Granted an extraordinary medical placement when authorized
22 under RCW 9.94A.728(1)(c); or

23 (ii) Released under the provisions of RCW 9.94A.730;

24 (f) The firearm enhancements in this section shall apply to all
25 felony crimes except the following: Possession of a machine gun or
26 bump-fire stock, possessing a stolen firearm, drive-by shooting,
27 theft of a firearm, unlawful possession of a firearm in the first and
28 second degree, and use of a machine gun or bump-fire stock in a
29 felony;

30 (g) If the standard sentence range under this section exceeds the
31 statutory maximum sentence for the offense, the statutory maximum
32 sentence shall be the presumptive sentence unless the offender is a
33 persistent offender. If the addition of a firearm enhancement
34 increases the sentence so that it would exceed the statutory maximum
35 for the offense, the portion of the sentence representing the
36 enhancement may not be reduced.

37 (4) The following additional times shall be added to the standard
38 sentence range for felony crimes committed after July 23, 1995, if
39 the offender or an accomplice was armed with a deadly weapon other
40 than a firearm as defined in RCW 9.41.010 and the offender is being

1 sentenced for one of the crimes listed in this subsection as eligible
2 for any deadly weapon enhancements based on the classification of the
3 completed felony crime. If the offender is being sentenced for more
4 than one offense, the deadly weapon enhancement or enhancements must
5 be added to the total period of confinement for all offenses,
6 regardless of which underlying offense is subject to a deadly weapon
7 enhancement. If the offender or an accomplice was armed with a deadly
8 weapon other than a firearm as defined in RCW 9.41.010 and the
9 offender is being sentenced for an anticipatory offense under chapter
10 9A.28 RCW to commit one of the crimes listed in this subsection as
11 eligible for any deadly weapon enhancements, the following additional
12 times shall be added to the standard sentence range determined under
13 subsection (2) of this section based on the felony crime of
14 conviction as classified under RCW 9A.28.020:

15 (a) Two years for any felony defined under any law as a class A
16 felony or with a statutory maximum sentence of at least twenty years,
17 or both, and not covered under (f) of this subsection;

18 (b) One year for any felony defined under any law as a class B
19 felony or with a statutory maximum sentence of ten years, or both,
20 and not covered under (f) of this subsection;

21 (c) Six months for any felony defined under any law as a class C
22 felony or with a statutory maximum sentence of five years, or both,
23 and not covered under (f) of this subsection;

24 (d) If the offender is being sentenced under (a), (b), and/or (c)
25 of this subsection for any deadly weapon enhancements and the
26 offender has previously been sentenced for any deadly weapon
27 enhancements after July 23, 1995, under (a), (b), and/or (c) of this
28 subsection or subsection (3)(a), (b), and/or (c) of this section, or
29 both, all deadly weapon enhancements under this subsection shall be
30 twice the amount of the enhancement listed;

31 (e) Notwithstanding any other provision of law, all deadly weapon
32 enhancements under this section are mandatory, shall be served in
33 total confinement, and shall run consecutively to all other
34 sentencing provisions, including other firearm or deadly weapon
35 enhancements, for all offenses sentenced under this chapter. However,
36 whether or not a mandatory minimum term has expired, an offender
37 serving a sentence under this subsection may be:

38 (i) Granted an extraordinary medical placement when authorized
39 under RCW 9.94A.728(1)(c); or

40 (ii) Released under the provisions of RCW 9.94A.730;

1 (f) The deadly weapon enhancements in this section shall apply to
2 all felony crimes except the following: Possession of a machine gun
3 or bump-fire stock, possessing a stolen firearm, drive-by shooting,
4 theft of a firearm, unlawful possession of a firearm in the first and
5 second degree, and use of a machine gun or bump-fire stock in a
6 felony;

7 (g) If the standard sentence range under this section exceeds the
8 statutory maximum sentence for the offense, the statutory maximum
9 sentence shall be the presumptive sentence unless the offender is a
10 persistent offender. If the addition of a deadly weapon enhancement
11 increases the sentence so that it would exceed the statutory maximum
12 for the offense, the portion of the sentence representing the
13 enhancement may not be reduced.

14 (5) The following additional times shall be added to the standard
15 sentence range if the offender or an accomplice committed the offense
16 while in a county jail or state correctional facility and the
17 offender is being sentenced for one of the crimes listed in this
18 subsection. If the offender or an accomplice committed one of the
19 crimes listed in this subsection while in a county jail or state
20 correctional facility, and the offender is being sentenced for an
21 anticipatory offense under chapter 9A.28 RCW to commit one of the
22 crimes listed in this subsection, the following additional times
23 shall be added to the standard sentence range determined under
24 subsection (2) of this section:

25 (a) Eighteen months for offenses committed under RCW 69.50.401(2)

26 (a) or (b) or 69.50.410;

27 (b) Fifteen months for offenses committed under RCW 69.50.401(2)

28 (c), (d), or (e);

29 (c) Twelve months for offenses committed under RCW 69.50.4013.

30 For the purposes of this subsection, all of the real property of
31 a state correctional facility or county jail shall be deemed to be
32 part of that facility or county jail.

33 (6) An additional twenty-four months shall be added to the
34 standard sentence range for any ranked offense involving a violation
35 of chapter 69.50 RCW if the offense was also a violation of RCW
36 69.50.435 or 9.94A.827. All enhancements under this subsection shall
37 run consecutively to all other sentencing provisions, for all
38 offenses sentenced under this chapter.

39 (7) An additional two years shall be added to the standard
40 sentence range for vehicular homicide committed while under the

1 influence of intoxicating liquor or any drug as defined by RCW
2 46.61.502 for each prior offense as defined in RCW 46.61.5055.

3 Notwithstanding any other provision of law, all impaired driving
4 enhancements under this subsection are mandatory, shall be served in
5 total confinement, and shall run consecutively to all other
6 sentencing provisions, including other impaired driving enhancements,
7 for all offenses sentenced under this chapter.

8 An offender serving a sentence under this subsection may be
9 granted an extraordinary medical placement when authorized under RCW
10 9.94A.728(1)(c).

11 (8)(a) The following additional times shall be added to the
12 standard sentence range for felony crimes committed on or after July
13 1, 2006, if the offense was committed with sexual motivation, as that
14 term is defined in RCW 9.94A.030. If the offender is being sentenced
15 for more than one offense, the sexual motivation enhancement must be
16 added to the total period of total confinement for all offenses,
17 regardless of which underlying offense is subject to a sexual
18 motivation enhancement. If the offender committed the offense with
19 sexual motivation and the offender is being sentenced for an
20 anticipatory offense under chapter 9A.28 RCW, the following
21 additional times shall be added to the standard sentence range
22 determined under subsection (2) of this section based on the felony
23 crime of conviction as classified under RCW 9A.28.020:

24 (i) Two years for any felony defined under the law as a class A
25 felony or with a statutory maximum sentence of at least twenty years,
26 or both;

27 (ii) Eighteen months for any felony defined under any law as a
28 class B felony or with a statutory maximum sentence of ten years, or
29 both;

30 (iii) One year for any felony defined under any law as a class C
31 felony or with a statutory maximum sentence of five years, or both;

32 (iv) If the offender is being sentenced for any sexual motivation
33 enhancements under (a)(i), (ii), and/or (iii) of this subsection and
34 the offender has previously been sentenced for any sexual motivation
35 enhancements on or after July 1, 2006, under (a)(i), (ii), and/or
36 (iii) of this subsection, all sexual motivation enhancements under
37 this subsection shall be twice the amount of the enhancement listed;

38 (b) Notwithstanding any other provision of law, all sexual
39 motivation enhancements under this subsection are mandatory, shall be
40 served in total confinement, and shall run consecutively to all other

1 sentencing provisions, including other sexual motivation
2 enhancements, for all offenses sentenced under this chapter. However,
3 whether or not a mandatory minimum term has expired, an offender
4 serving a sentence under this subsection may be:

5 (i) Granted an extraordinary medical placement when authorized
6 under RCW 9.94A.728(1)(c); or

7 (ii) Released under the provisions of RCW 9.94A.730;

8 (c) The sexual motivation enhancements in this subsection apply
9 to all felony crimes;

10 (d) If the standard sentence range under this subsection exceeds
11 the statutory maximum sentence for the offense, the statutory maximum
12 sentence shall be the presumptive sentence unless the offender is a
13 persistent offender. If the addition of a sexual motivation
14 enhancement increases the sentence so that it would exceed the
15 statutory maximum for the offense, the portion of the sentence
16 representing the enhancement may not be reduced;

17 (e) The portion of the total confinement sentence which the
18 offender must serve under this subsection shall be calculated before
19 any earned early release time is credited to the offender;

20 (f) Nothing in this subsection prevents a sentencing court from
21 imposing a sentence outside the standard sentence range pursuant to
22 RCW 9.94A.535.

23 (9) An additional one-year enhancement shall be added to the
24 standard sentence range for the felony crimes of RCW 9A.44.073,
25 9A.44.076, 9A.44.079, 9A.44.083, 9A.44.086, or 9A.44.089 committed on
26 or after July 22, 2007, if the offender engaged, agreed, or offered
27 to engage the victim in the sexual conduct in return for a fee. If
28 the offender is being sentenced for more than one offense, the
29 one-year enhancement must be added to the total period of total
30 confinement for all offenses, regardless of which underlying offense
31 is subject to the enhancement. If the offender is being sentenced for
32 an anticipatory offense for the felony crimes of RCW 9A.44.073,
33 9A.44.076, 9A.44.079, 9A.44.083, 9A.44.086, or 9A.44.089, and the
34 offender attempted, solicited another, or conspired to engage, agree,
35 or offer to engage the victim in the sexual conduct in return for a
36 fee, an additional one-year enhancement shall be added to the
37 standard sentence range determined under subsection (2) of this
38 section. For purposes of this subsection, "sexual conduct" means
39 sexual intercourse or sexual contact, both as defined in chapter
40 9A.44 RCW.

1 (10)(a) For a person age eighteen or older convicted of any
2 criminal street gang-related felony offense for which the person
3 compensated, threatened, or solicited a minor in order to involve the
4 minor in the commission of the felony offense, the standard sentence
5 range is determined by locating the sentencing grid sentence range
6 defined by the appropriate offender score and the seriousness level
7 of the completed crime, and multiplying the range by one hundred
8 twenty-five percent. If the standard sentence range under this
9 subsection exceeds the statutory maximum sentence for the offense,
10 the statutory maximum sentence is the presumptive sentence unless the
11 offender is a persistent offender.

12 (b) This subsection does not apply to any criminal street gang-
13 related felony offense for which involving a minor in the commission
14 of the felony offense is an element of the offense.

15 (c) The increased penalty specified in (a) of this subsection is
16 unavailable in the event that the prosecution gives notice that it
17 will seek an exceptional sentence based on an aggravating factor
18 under RCW 9.94A.535.

19 (11) An additional twelve months and one day shall be added to
20 the standard sentence range for a conviction of attempting to elude a
21 police vehicle as defined by RCW 46.61.024, if the conviction
22 included a finding by special allegation of endangering one or more
23 persons under RCW 9.94A.834.

24 (12) An additional twelve months shall be added to the standard
25 sentence range for an offense that is also a violation of RCW
26 9.94A.831.

27 (13) An additional twelve months shall be added to the standard
28 sentence range for vehicular homicide committed while under the
29 influence of intoxicating liquor or any drug as defined by RCW
30 46.61.520 or for vehicular assault committed while under the
31 influence of intoxicating liquor or any drug as defined by RCW
32 46.61.522, or for any felony driving under the influence (RCW
33 46.61.502(6)) or felony physical control under the influence (RCW
34 46.61.504(6)) for each child passenger under the age of sixteen who
35 is an occupant in the defendant's vehicle. These enhancements shall
36 be mandatory, shall be served in total confinement, and shall run
37 consecutively to all other sentencing provisions, including other
38 minor child enhancements, for all offenses sentenced under this
39 chapter. If the addition of a minor child enhancement increases the
40 sentence so that it would exceed the statutory maximum for the

1 offense, the portion of the sentence representing the enhancement
2 shall be mandatory, shall be served in total confinement, and shall
3 run consecutively to all other sentencing provisions.

4 (14) An additional twelve months shall be added to the standard
5 sentence range for an offense that is also a violation of RCW
6 9.94A.832.

7 (15) An additional 12 months shall be added to the standard
8 sentence range for an offense that is also a violation of section 25
9 of this act.

10 (16) Regardless of any provisions in this section, if a person is
11 being sentenced in adult court for a crime committed under age
12 eighteen, the court has full discretion to depart from mandatory
13 sentencing enhancements and to take the particular circumstances
14 surrounding the defendant's youth into account.

15 **Sec. 29.** RCW 9.94A.515 and 2023 c 196 s 3 and 2023 c 7 s 3 are
16 each reenacted and amended to read as follows:

17 TABLE 2

18 CRIMES INCLUDED WITHIN EACH
19 SERIOUSNESS LEVEL

20	XVI	Aggravated Murder 1 (RCW 10.95.020)
21	XV	Homicide by abuse (RCW 9A.32.055)
22		Malicious explosion 1 (RCW
23		70.74.280(1))
24		Murder 1 (RCW 9A.32.030)
25	XIV	Murder 2 (RCW 9A.32.050)
26		Trafficking 1 (RCW 9A.40.100(1))
27	XIII	Malicious explosion 2 (RCW
28		70.74.280(2))
29		Malicious placement of an explosive 1
30		(RCW 70.74.270(1))
31	XII	Assault 1 (RCW 9A.36.011)
32		Assault of a Child 1 (RCW 9A.36.120)
33		Malicious placement of an imitation
34		device 1 (RCW 70.74.272(1)(a))

1 Promoting Commercial Sexual Abuse
2 of a Minor (RCW 9.68A.101)
3 Rape 1 (RCW 9A.44.040)
4 Rape of a Child 1 (RCW 9A.44.073)
5 Trafficking 2 (RCW 9A.40.100(3))
6 XI Manslaughter 1 (RCW 9A.32.060)
7 Rape 2 (RCW 9A.44.050)
8 Rape of a Child 2 (RCW 9A.44.076)
9 Vehicular Homicide, by being under the
10 influence of intoxicating liquor or
11 any drug (RCW 46.61.520)
12 Vehicular Homicide, by the operation of
13 any vehicle in a reckless manner
14 (RCW 46.61.520)
15 X Child Molestation 1 (RCW 9A.44.083)
16 Criminal Mistreatment 1 (RCW
17 9A.42.020)
18 Indecent Liberties (with forcible
19 compulsion) (RCW
20 9A.44.100(1)(a))
21 Kidnapping 1 (RCW 9A.40.020)
22 Leading Organized Crime (RCW
23 9A.82.060(1)(a))
24 Malicious explosion 3 (RCW
25 70.74.280(3))
26 Sexually Violent Predator Escape (RCW
27 9A.76.115)
28 IX Abandonment of Dependent Person 1
29 (RCW 9A.42.060)
30 Assault of a Child 2 (RCW 9A.36.130)
31 Explosive devices prohibited (RCW
32 70.74.180)
33 Hit and Run—Death (RCW
34 46.52.020(4)(a))

1 Homicide by Watercraft, by being under
2 the influence of intoxicating liquor
3 or any drug (RCW 79A.60.050)
4 Inciting Criminal Profiteering (RCW
5 9A.82.060(1)(b))
6 Malicious placement of an explosive 2
7 (RCW 70.74.270(2))
8 Robbery 1 (RCW 9A.56.200)
9 Sexual Exploitation (RCW 9.68A.040)
10 VIII Arson 1 (RCW 9A.48.020)
11 Commercial Sexual Abuse of a Minor
12 (RCW 9.68A.100)
13 Homicide by Watercraft, by the
14 operation of any vessel in a reckless
15 manner (RCW 79A.60.050)
16 Manslaughter 2 (RCW 9A.32.070)
17 Promoting Prostitution 1 (RCW
18 9A.88.070)
19 Theft of Ammonia (RCW 69.55.010)
20 VII Air bag diagnostic systems (causing
21 bodily injury or death) (RCW
22 46.37.660(2)(b))
23 Air bag replacement requirements
24 (causing bodily injury or death)
25 (RCW 46.37.660(1)(b))
26 Burglary 1 (RCW 9A.52.020)
27 Child Molestation 2 (RCW 9A.44.086)
28 Civil Disorder Training (RCW
29 9A.48.120)
30 Custodial Sexual Misconduct 1 (RCW
31 9A.44.160)
32 Dealing in depictions of minor engaged
33 in sexually explicit conduct 1
34 (RCW 9.68A.050(1))
35 Drive-by Shooting (RCW 9A.36.045)

1 False Reporting 1 (RCW
2 9A.84.040(2)(a))
3 Homicide by Watercraft, by disregard
4 for the safety of others (RCW
5 79A.60.050)
6 Indecent Liberties (without forcible
7 compulsion) (RCW 9A.44.100(1)
8 (b) and (c))
9 Introducing Contraband 1 (RCW
10 9A.76.140)
11 Malicious placement of an explosive 3
12 (RCW 70.74.270(3))
13 Manufacture or import counterfeit,
14 nonfunctional, damaged, or
15 previously deployed air bag
16 (causing bodily injury or death)
17 (RCW 46.37.650(1)(b))
18 Negligently Causing Death By Use of a
19 Signal Preemption Device (RCW
20 46.37.675)
21 Sell, install, or reinstall counterfeit,
22 nonfunctional, damaged, or
23 previously deployed airbag (RCW
24 46.37.650(2)(b))
25 Sending, bringing into state depictions
26 of minor engaged in sexually
27 explicit conduct 1 (RCW
28 9.68A.060(1))
29 Unlawful Possession of a Firearm in the
30 first degree (RCW 9.41.040(1))
31 Use of a Machine Gun or Bump-fire
32 Stock in Commission of a Felony
33 (RCW 9.41.225)
34 Vehicular Homicide, by disregard for
35 the safety of others (RCW
36 46.61.520)

1 VI Bail Jumping with Murder 1 (RCW
2 9A.76.170(3)(a))
3 Bribery (RCW 9A.68.010)
4 Incest 1 (RCW 9A.64.020(1))
5 Intimidating a Judge (RCW 9A.72.160)
6 Intimidating a Juror/Witness (RCW
7 9A.72.110, 9A.72.130)
8 Malicious placement of an imitation
9 device 2 (RCW 70.74.272(1)(b))
10 Possession of Depictions of a Minor
11 Engaged in Sexually Explicit
12 Conduct 1 (RCW 9.68A.070(1))
13 Rape of a Child 3 (RCW 9A.44.079)
14 Theft of a Firearm (RCW 9A.56.300)
15 Theft from a Vulnerable Adult 1 (RCW
16 9A.56.400(1))
17 Unlawful Storage of Ammonia (RCW
18 69.55.020)
19 V Abandonment of Dependent Person 2
20 (RCW 9A.42.070)
21 Advancing money or property for
22 extortionate extension of credit
23 (RCW 9A.82.030)
24 Air bag diagnostic systems (RCW
25 46.37.660(2)(c))
26 Air bag replacement requirements
27 (RCW 46.37.660(1)(c))
28 Bail Jumping with class A Felony
29 (RCW 9A.76.170(3)(b))
30 Child Molestation 3 (RCW 9A.44.089)
31 Criminal Mistreatment 2 (RCW
32 9A.42.030)
33 Custodial Sexual Misconduct 2 (RCW
34 9A.44.170)

1 Dealing in Depictions of Minor
2 Engaged in Sexually Explicit
3 Conduct 2 (RCW 9.68A.050(2))
4 Domestic Violence Court Order
5 Violation (RCW 7.105.450,
6 10.99.040, 10.99.050, 26.09.300,
7 26.26B.050, or 26.52.070)
8 Extortion 1 (RCW 9A.56.120)
9 Extortionate Extension of Credit (RCW
10 9A.82.020)
11 Extortionate Means to Collect
12 Extensions of Credit (RCW
13 9A.82.040)
14 Incest 2 (RCW 9A.64.020(2))
15 Kidnapping 2 (RCW 9A.40.030)
16 Manufacture or import counterfeit,
17 nonfunctional, damaged, or
18 previously deployed air bag (RCW
19 46.37.650(1)(c))
20 Perjury 1 (RCW 9A.72.020)
21 Persistent prison misbehavior (RCW
22 9.94.070)
23 Possession of a Stolen Firearm (RCW
24 9A.56.310)
25 Rape 3 (RCW 9A.44.060)
26 Rendering Criminal Assistance 1 (RCW
27 9A.76.070)
28 Sell, install, or reinstall counterfeit,
29 nonfunctional, damaged, or
30 previously deployed airbag (RCW
31 46.37.650(2)(c))
32 Sending, Bringing into State Depictions
33 of Minor Engaged in Sexually
34 Explicit Conduct 2 (RCW
35 9.68A.060(2))

1 Sexual Misconduct with a Minor 1
2 (RCW 9A.44.093)
3 Sexually Violating Human Remains
4 (RCW 9A.44.105)
5 Stalking (RCW 9A.46.110)
6 Taking Motor Vehicle Without
7 Permission 1 (RCW 9A.56.070)
8 IV Arson 2 (RCW 9A.48.030)
9 Assault 2 (RCW 9A.36.021)
10 Assault 3 (of a Peace Officer with a
11 Projectile Stun Gun) (RCW
12 9A.36.031(1)(h))
13 Assault 4 (third domestic violence
14 offense) (RCW 9A.36.041(3))
15 Assault by Watercraft (RCW
16 79A.60.060)
17 Bribing a Witness/Bribe Received by
18 Witness (RCW 9A.72.090,
19 9A.72.100)
20 Cheating 1 (RCW 9A.46.1961)
21 Commercial Bribery (RCW 9A.68.060)
22 Counterfeiting (RCW 9A.16.035(4))
23 Driving While Under the Influence
24 (RCW 46.61.502(6))
25 Endangerment with a Controlled
26 Substance (RCW 9A.42.100)
27 Escape 1 (RCW 9A.76.110)
28 Hate Crime (RCW 9A.36.080)
29 Hit and Run—Injury (RCW
30 46.52.020(4)(b))
31 Hit and Run with Vessel—Injury
32 Accident (RCW 79A.60.200(3))
33 Identity Theft 1 (RCW 9A.35.020(2))

1 Indecent Exposure to Person Under Age
2 14 (subsequent sex offense) (RCW
3 9A.88.010)

4 Influencing Outcome of Sporting Event
5 (RCW 9A.82.070)

6 Physical Control of a Vehicle While
7 Under the Influence (RCW
8 46.61.504(6))

9 Possession of Depictions of a Minor
10 Engaged in Sexually Explicit
11 Conduct 2 (RCW 9.68A.070(2))

12 Residential Burglary (RCW 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 Catalytic Converters 1
17 (section 24 of this act)

18 Trafficking in Stolen Property 1 (RCW
19 9A.82.050)

20 Unlawful factoring of a credit card or
21 payment card transaction (RCW
22 9A.56.290(4)(b))

23 Unlawful transaction of health coverage
24 as a health care service contractor
25 (RCW 48.44.016(3))

26 Unlawful transaction of health coverage
27 as a health maintenance
28 organization (RCW 48.46.033(3))

29 Unlawful transaction of insurance
30 business (RCW 48.15.023(3))

31 Unlicensed practice as an insurance
32 professional (RCW 48.17.063(2))

33 Use of Proceeds of Criminal
34 Profiteering (RCW 9A.82.080 (1)
35 and (2))

1 Vehicle Prowling 2 (third or subsequent
2 offense) (RCW 9A.52.100(3))
3 Vehicular Assault, by being under the
4 influence of intoxicating liquor or
5 any drug, or by the operation or
6 driving of a vehicle in a reckless
7 manner (RCW 46.61.522)
8 Viewing of Depictions of a Minor
9 Engaged in Sexually Explicit
10 Conduct 1 (RCW 9.68A.075(1))
11 III Animal Cruelty 1 (Sexual Conduct or
12 Contact) (RCW 16.52.205(3))
13 Assault 3 (Except Assault 3 of a Peace
14 Officer With a Projectile Stun Gun)
15 (RCW 9A.36.031 except subsection
16 (1)(h))
17 Assault of a Child 3 (RCW 9A.36.140)
18 Bail Jumping with class B or C Felony
19 (RCW 9A.76.170(3)(c))
20 Burglary 2 (RCW 9A.52.030)
21 Communication with a Minor for
22 Immoral Purposes (RCW
23 9.68A.090)
24 Criminal Gang Intimidation (RCW
25 9A.46.120)
26 Custodial Assault (RCW 9A.36.100)
27 Cyber Harassment (RCW
28 9A.90.120(2)(b))
29 Escape 2 (RCW 9A.76.120)
30 Extortion 2 (RCW 9A.56.130)
31 False Reporting 2 (RCW
32 9A.84.040(2)(b))
33 Harassment (RCW 9A.46.020)
34 Hazing (RCW 28B.10.901(2)(b))
35 Intimidating a Public Servant (RCW
36 9A.76.180)

1 Introducing Contraband 2 (RCW
2 9A.76.150)
3 Malicious Injury to Railroad Property
4 (RCW 81.60.070)
5 Manufacture of Untraceable Firearm
6 with Intent to Sell (RCW 9.41.190)
7 Manufacture or Assembly of an
8 Undetectable Firearm or
9 Untraceable Firearm (RCW
10 9.41.325)
11 Mortgage Fraud (RCW 19.144.080)
12 Negligently Causing Substantial Bodily
13 Harm By Use of a Signal
14 Preemption Device (RCW
15 46.37.674)
16 Organized Retail Theft 1 (RCW
17 9A.56.350(2))
18 Perjury 2 (RCW 9A.72.030)
19 Possession of Incendiary Device (RCW
20 9.40.120)
21 Possession of Machine Gun, Bump-Fire
22 Stock, Undetectable Firearm, or
23 Short-Barreled Shotgun or Rifle
24 (RCW 9.41.190)
25 Promoting Prostitution 2 (RCW
26 9A.88.080)
27 Retail Theft with Special Circumstances
28 1 (RCW 9A.56.360(2))
29 Securities Act violation (RCW
30 21.20.400)
31 Tampering with a Witness (RCW
32 9A.72.120)
33 Telephone Harassment (subsequent
34 conviction or threat of death)
35 (RCW 9.61.230(2))
36 Theft of Livestock 2 (RCW 9A.56.083)

1 Theft with the Intent to Resell 1 (RCW
2 9A.56.340(2))
3 Trafficking in Catalytic Converters 2
4 (section 26 of this act)
5 Trafficking in Stolen Property 2 (RCW
6 9A.82.055)
7 Unlawful Hunting of Big Game 1
8 (RCW 77.15.410(3)(b))
9 Unlawful Imprisonment (RCW
10 9A.40.040)
11 Unlawful Misbranding of Fish or
12 Shellfish 1 (RCW 77.140.060(3))
13 Unlawful possession of firearm in the
14 second degree (RCW 9.41.040(2))
15 Unlawful Taking of Endangered Fish or
16 Wildlife 1 (RCW 77.15.120(3)(b))
17 Unlawful Trafficking in Fish, Shellfish,
18 or Wildlife 1 (RCW
19 77.15.260(3)(b))
20 Unlawful Use of a Nondesignated
21 Vessel (RCW 77.15.530(4))
22 Vehicular Assault, by the operation or
23 driving of a vehicle with disregard
24 for the safety of others (RCW
25 46.61.522)
26 II Commercial Fishing Without a License
27 1 (RCW 77.15.500(3)(b))
28 Computer Trespass 1 (RCW 9A.90.040)
29 Counterfeiting (RCW 9.16.035(3))
30 Electronic Data Service Interference
31 (RCW 9A.90.060)
32 Electronic Data Tampering 1 (RCW
33 9A.90.080)
34 Electronic Data Theft (RCW
35 9A.90.100)

1 Engaging in Fish Dealing Activity
2 Unlicensed 1 (RCW 77.15.620(3))
3 Escape from Community Custody
4 (RCW 72.09.310)
5 Failure to Register as a Sex Offender
6 (second or subsequent offense)
7 (RCW 9A.44.130 prior to June 10,
8 2010, and RCW 9A.44.132)
9 Health Care False Claims (RCW
10 48.80.030)
11 Identity Theft 2 (RCW 9.35.020(3))
12 Improperly Obtaining Financial
13 Information (RCW 9.35.010)
14 Malicious Mischief 1 (RCW 9A.48.070)
15 Organized Retail Theft 2 (RCW
16 9A.56.350(3))
17 Possession of Stolen Property 1 (RCW
18 9A.56.150)
19 Possession of a Stolen Vehicle (RCW
20 9A.56.068)
21 Possession, sale, or offering for sale of
22 seven or more unmarked catalytic
23 converters (section 23(5) of this
24 act)
25 Retail Theft with Special Circumstances
26 2 (RCW 9A.56.360(3))
27 Scrap Processing, Recycling, or
28 Supplying Without a License
29 (second or subsequent offense)
30 (RCW 19.290.100)
31 Theft 1 (RCW 9A.56.030)
32 Theft of a Motor Vehicle (RCW
33 9A.56.065)

1 Theft of Rental, Leased, Lease-
2 purchased, or Loaned Property
3 (valued at \$5,000 or more) (RCW
4 9A.56.096(5)(a))
5 Theft with the Intent to Resell 2 (RCW
6 9A.56.340(3))
7 Trafficking in Insurance Claims (RCW
8 48.30A.015)
9 Unlawful factoring of a credit card or
10 payment card transaction (RCW
11 9A.56.290(4)(a))
12 Unlawful Participation of Non-Indians
13 in Indian Fishery (RCW
14 77.15.570(2))
15 Unlawful Practice of Law (RCW
16 2.48.180)
17 Unlawful Purchase or Use of a License
18 (RCW 77.15.650(3)(b))
19 Unlawful Trafficking in Fish, Shellfish,
20 or Wildlife 2 (RCW
21 77.15.260(3)(a))
22 Unlicensed Practice of a Profession or
23 Business (RCW 18.130.190(7))
24 Voyeurism 1 (RCW 9A.44.115)
25 I Attempting to Elude a Pursuing Police
26 Vehicle (RCW 46.61.024)
27 False Verification for Welfare (RCW
28 74.08.055)
29 Forgery (RCW 9A.60.020)
30 Fraudulent Creation or Revocation of a
31 Mental Health Advance Directive
32 (RCW 9A.60.060)
33 Malicious Mischief 2 (RCW 9A.48.080)
34 Mineral Trespass (RCW 78.44.330)
35 Possession of Stolen Property 2 (RCW
36 9A.56.160)

1 Reckless Burning 1 (RCW 9A.48.040)
2 Spotlighting Big Game 1 (RCW
3 77.15.450(3)(b))
4 Suspension of Department Privileges 1
5 (RCW 77.15.670(3)(b))
6 Taking Motor Vehicle Without
7 Permission 2 (RCW 9A.56.075)
8 Theft 2 (RCW 9A.56.040)
9 Theft from a Vulnerable Adult 2 (RCW
10 9A.56.400(2))
11 Theft of Rental, Leased, Lease-
12 purchased, or Loaned Property
13 (valued at \$750 or more but less
14 than \$5,000) (RCW
15 9A.56.096(5)(b))
16 Transaction of insurance business
17 beyond the scope of licensure
18 (RCW 48.17.063)
19 Unlawful Fish and Shellfish Catch
20 Accounting (RCW 77.15.630(3)(b))
21 Unlawful Issuance of Checks or Drafts
22 (RCW 9A.56.060)
23 Unlawful Possession of Fictitious
24 Identification (RCW 9A.56.320)
25 Unlawful Possession of Instruments of
26 Financial Fraud (RCW 9A.56.320)
27 Unlawful Possession of Payment
28 Instruments (RCW 9A.56.320)
29 Unlawful Possession of a Personal
30 Identification Device (RCW
31 9A.56.320)
32 Unlawful Production of Payment
33 Instruments (RCW 9A.56.320)

1 Unlawful Releasing, Planting,
2 Possessing, or Placing Deleterious
3 Exotic Wildlife (RCW
4 77.15.250(2)(b))
5 Unlawful Trafficking in Food Stamps
6 (RCW 9.91.142)
7 Unlawful Use of Food Stamps (RCW
8 9.91.144)
9 Unlawful Use of Net to Take Fish 1
10 (RCW 77.15.580(3)(b))
11 Vehicle Prowl 1 (RCW 9A.52.095)
12 Violating Commercial Fishing Area or
13 Time 1 (RCW 77.15.550(3)(b))

14 NEW SECTION. **Sec. 30.** Except for section 22 of this act, this
15 act takes effect April 1, 2025.

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