

---

**SENATE BILL 5740**

---

**State of Washington**

**68th Legislature**

**2023 Regular Session**

**By** Senators J. Wilson, MacEwen, Dozier, and Padden

Read first time 02/13/23. Referred to Committee on Law & Justice.

1 AN ACT Relating to deterring catalytic converter theft; amending  
2 RCW 19.290.020, 19.290.030, 19.290.050, 19.290.080, and 9.94A.515;  
3 reenacting and amending RCW 19.290.010; adding a new section to  
4 chapter 19.290 RCW; adding a new section to chapter 43.43 RCW; adding  
5 new sections to chapter 9A.82 RCW; creating a new section;  
6 prescribing penalties; providing an effective date; and declaring an  
7 emergency.

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

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

17 Therefore, the legislature intends to require all purchasers to  
18 be licensed and subject to regulation and inspection. The legislature  
19 also intends to create a related structure for enforcing these  
20 provisions and imposing penalties commensurate with the enforcement  
21 and penalty structures found in comparable areas of law.

1       **Sec. 2.** RCW 19.290.010 and 2013 c 322 s 4 are each reenacted and  
2 amended to read as follows:

3       The definitions in this section apply throughout this chapter  
4 unless the context clearly requires otherwise.

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

8       (2) "Commercial enterprise" means a corporation, partnership,  
9 limited liability company, association, state agency, political  
10 subdivision of the state, public corporation, or any other legal or  
11 commercial entity.

12       (3) "Commercial metal property" means: Utility access covers;  
13 street light poles and fixtures; road and bridge guardrails; highway  
14 or street signs; water meter covers; traffic directional and control  
15 signs; traffic light signals; any metal property marked with the name  
16 of a commercial enterprise, including but not limited to a telephone,  
17 commercial mobile radio services, cable, electric, water, natural  
18 gas, or other utility, or railroad; unused or undamaged building  
19 construction materials consisting of copper pipe, tubing, or wiring,  
20 or aluminum wire, siding, downspouts, or gutters; aluminum or  
21 stainless steel fence panels made from one inch tubing, forty-two  
22 inches high with four-inch gaps; aluminum decking, bleachers, or  
23 risers; historical markers; statue plaques; grave markers and funeral  
24 vases; or agricultural irrigation wheels, sprinkler heads, and pipes.

25       (4) "Engage in business" means conducting more than twelve  
26 transactions in a twelve-month period.

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

32       (6) "Person" means an individual, domestic or foreign  
33 corporation, limited liability corporation, partnership, trust,  
34 unincorporated association, or other entity; an affiliate or  
35 associate of any such person; or any two or more persons acting as a  
36 partnership, syndicate, or other group for the purpose of acquiring,  
37 holding, or dispersing of securities of a domestic or foreign  
38 corporation.

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

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

4 (9) "Purchaser" means a person, scrap metal business, scrap metal  
5 recycler, or other entity involved in the purchase of a catalytic  
6 converter that has been removed from a vehicle.

7 (10) "Record" means a paper, electronic, or other method of  
8 storing information.

9 (~~(10)~~) (11) "Scrap metal business" means a scrap metal  
10 supplier, scrap metal recycler, and scrap metal processor.

11 (~~(11)~~) (12) "Scrap metal processor" means a person with a  
12 current business license that conducts business from a permanent  
13 location, that is engaged in the business of purchasing or receiving  
14 private metal property, nonferrous metal property, and commercial  
15 metal property for the purpose of altering the metal in preparation  
16 for its use as feedstock in the manufacture of new products, and that  
17 maintains a hydraulic bailer, shearing device, or shredding device  
18 for recycling.

19 (~~(12)~~) (13) "Scrap metal recycler" means a person with a  
20 current business license that is engaged in the business of  
21 purchasing or receiving private metal property, nonferrous metal  
22 property, and commercial metal property for the purpose of  
23 aggregation and sale to another scrap metal business and that  
24 maintains a fixed place of business within the state.

25 (~~(13)~~) (14) "Scrap metal supplier" means a person with a  
26 current business license that is engaged in the business of  
27 purchasing or receiving private metal property or nonferrous metal  
28 property for the purpose of aggregation and sale to a scrap metal  
29 recycler or scrap metal processor and that does not maintain a fixed  
30 business location in the state.

31 (~~(14)~~) (15) "Transaction" means a pledge, or the purchase of,  
32 or the trade of any item of private metal property or nonferrous  
33 metal property by a scrap metal business from a member of the general  
34 public. "Transaction" does not include donations or the purchase or  
35 receipt of private metal property or nonferrous metal property by a  
36 scrap metal business from a commercial enterprise, from another scrap  
37 metal business, or from a duly authorized employee or agent of the  
38 commercial enterprise or scrap metal business.

1       **Sec. 3.** RCW 19.290.020 and 2022 c 221 s 3 are each amended to  
2 read as follows:

3       (1) At the time of a transaction, every scrap metal business  
4 doing business in this state shall produce wherever that business is  
5 conducted an accurate and legible record of each transaction  
6 involving private metal property or nonferrous metal property. This  
7 record must be written in the English language, documented on a  
8 standardized form or in electronic form, and contain the following  
9 information:

10       (a) The signature of the person with whom the transaction is  
11 made;

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

13       (c) The name of the employee representing the scrap metal  
14 business in the transaction;

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

17       (e) The license plate number and state of issuance of the license  
18 plate on the motor vehicle used to deliver the private metal property  
19 or nonferrous metal property subject to the transaction;

20       (f) A description of the motor vehicle used to deliver the  
21 private metal property or nonferrous metal property subject to the  
22 transaction;

23       (g) ~~((The))~~ A copy of the seller's current driver's license  
24 ~~((number))~~ or other ~~((government-issued picture identification card~~  
25 ~~number of the seller or a copy of the seller's))~~ government-issued  
26 picture identification card; and

27       (h) A description of the predominant types of private metal  
28 property or nonferrous metal property subject to the transaction,  
29 utilizing the institute of scrap recycling industries' generally  
30 accepted terminology, and including weight, quantity, or volume(~~+~~  
31 ~~and~~

32 ~~(i) For every transaction specifically involving))~~.

33       (2) Every person involved in the purchase or solicitation of the  
34 purchase of a catalytic converter that has been removed from a  
35 vehicle, ((documentation indicating)) in addition to meeting the  
36 requirements of subsection (1) of this section, shall also:

37       (a) Possess a valid scrap metal license pursuant to RCW  
38 19.290.100 or vehicle wrecker license pursuant to RCW 46.80.020,  
39 conspicuously display the license at any location where a purchase is  
40 intended to take place and be available for inspection on request by

1 law enforcement or the department of licensing, and include the  
2 license number in all advertisements soliciting the purchase of  
3 catalytic converters; and

4 (b) Complete an accurate and legible record of the transaction in  
5 English, documented on a standardized form or in electronic form,  
6 that contains the following information in addition to the  
7 requirements of subsection (1) of this section:

8 (i) A copy of the title or registration of the originating  
9 vehicle, or a declaration stating that the ((private metal property))  
10 catalytic converter in the seller's possession ((is the result of the  
11 seller replacing private metal property)) was removed from a vehicle  
12 registered in the seller's name; and

13 (ii) The vehicle identification number of the originating  
14 vehicle.

15 ~~((+2))~~ (3) For every transaction that involves private metal  
16 property or nonferrous metal property and is subject to subsection  
17 (1) or (2) of this section, ((every scrap metal business doing  
18 business in the state)) the purchaser shall require the person with  
19 whom a transaction is being made to sign a declaration. The  
20 declaration may be included as part of the transactional record  
21 required under subsection (1) of this section, or on a receipt for  
22 the transaction. The declaration must state substantially the  
23 following:

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

28 The declaration must be signed and dated by the person with whom  
29 the transaction is being made. ((An)) The purchaser or an employee of  
30 the ((scrap metal business)) purchaser must witness the signing and  
31 dating of the declaration and sign the declaration accordingly before  
32 any transaction may be consummated.

33 ~~((+3))~~ (4) The record and declaration required under this  
34 section must be open to the inspection of any commissioned law  
35 enforcement officer of the state or any of its political subdivisions  
36 at all times during the ordinary hours of business, or at reasonable  
37 times if ordinary hours of business are not kept, and must be  
38 maintained wherever that business is conducted for ((five)) three  
39 years following the date of the transaction.

1       **Sec. 4.** RCW 19.290.030 and 2022 c 221 s 4 are each amended to  
2 read as follows:

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

8       (2) No scrap metal business may purchase or receive private metal  
9 property or commercial metal property unless the seller: (a) Has a  
10 commercial account with the scrap metal business; (b) can prove  
11 ownership of the property by producing written documentation that the  
12 seller is the owner of the property; or (c) can produce written  
13 documentation that the seller is an employee or agent authorized to  
14 sell the property on behalf of a commercial enterprise.

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

19       (4)(a) No transaction involving private metal property or  
20 nonferrous metal property may be made in cash or with any person who  
21 does not provide a street address and photographic identification and  
22 sign a declaration under the requirements of RCW 19.290.020 (~~((1)-(d)~~  
23 ~~and (g))~~) except as described in (b) and (c) of this subsection. The  
24 person with whom the transaction is being made may only be paid by a  
25 nontransferable check, mailed by the (~~scrap metal business~~)  
26 purchaser to a street address provided under RCW 19.290.020, no  
27 earlier than three days after the transaction was made. A transaction  
28 occurs on the date provided in the record required under RCW  
29 19.290.020.

30       (b) A (~~scrap metal business~~) person that is in compliance with  
31 this chapter may pay a commercial enterprise up to a maximum of \$30  
32 in cash, stored value device, or electronic funds transfer for  
33 nonferrous metal property. The balance of the value of the  
34 transaction may be made by nontransferable check, stored value  
35 device, or electronic funds transfer at the time the transaction is  
36 made if the (~~scrap metal business digitally captures:~~

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

1 ~~(ii) Either a picture or video of either the material subject to~~  
2 ~~the transaction in the form received or the material subject to the~~  
3 ~~transaction within the vehicle which the material was transported to~~  
4 ~~the scrap metal business)) transaction is fully documented as~~  
5 ~~required under this chapter.~~

6 (c) Payment to individual sellers of private metal property as  
7 defined in this chapter may not be made at the time of the  
8 transaction and shall not be paid earlier than three business days  
9 after the transaction was made. Records of payment for private metal  
10 property as defined in this chapter must be kept in the same file or  
11 record as all records collected under this ~~((subsection))~~ chapter and  
12 retained and be available for review for ~~((two))~~ three years from the  
13 date of the transaction.

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

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

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

23 (6) Any person conducting a purchase of a catalytic converter  
24 that has been removed from a vehicle is subject to the requirements  
25 of this section.

26 **Sec. 5.** RCW 19.290.050 and 2013 c 322 s 8 are each amended to  
27 read as follows:

28 (1) ~~((Upon))~~ In addition to all other requirements of this  
29 chapter, upon request by any commissioned law enforcement officer of  
30 the state or any of its political subdivisions, every person, scrap  
31 metal business, scrap metal recycler, or other purchaser shall  
32 furnish a full, true, and correct transcript of the records from the  
33 purchase or receipt of private metal property, nonferrous metal  
34 property, and commercial metal property involving only a specified  
35 individual, vehicle, or item of private metal property, nonferrous  
36 metal property, or commercial metal property. This information may be  
37 transmitted within a specified time of not less than two business  
38 days to the applicable law enforcement agency electronically, by  
39 facsimile transmission, or by modem or similar device, or by delivery

1 of computer disk subject to the requirements of, and approval by, the  
2 chief of police or the county's chief law enforcement officer.

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

5 (3) If the (~~scrap metal business~~) person, scrap metal business,  
6 scrap metal recycler, or other purchaser has good cause to believe  
7 that any private metal property, nonferrous metal property, or  
8 commercial metal property in (~~his or her~~) their possession has been  
9 previously lost or stolen, the (~~scrap metal business~~) purchaser  
10 shall promptly report that fact to the applicable commissioned law  
11 enforcement officer of the state, the chief of police, or the  
12 county's chief law enforcement officer, together with the  
13 documentation of the transaction, the name of the owner, if known,  
14 and the date when and the name of the person from whom it was  
15 received.

16 (4) Compliance with this section shall not give rise to or form  
17 the basis of private civil liability on the part of a (~~scrap metal~~  
18 ~~business or scrap metal recycler~~) person, scrap metal business,  
19 scrap metal recycler, or other purchaser.

20 **Sec. 6.** RCW 19.290.080 and 2007 c 377 s 8 are each amended to  
21 read as follows:

22 (1) Each violation of the requirements of this chapter that are  
23 not subject to the criminal penalties under RCW (~~19.290.070~~)  
24 9A.56.410 shall be punishable(~~(, upon conviction,)~~) by a fine of not  
25 more than one thousand dollars. Each catalytic converter possessed or  
26 trafficked in violation of this chapter is a separate violation.

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

32 NEW SECTION. **Sec. 7.** A new section is added to chapter 19.290  
33 RCW to read as follows:

34 (1) No person may engage in the business of disassembling or de-  
35 canning a catalytic converter for removal or processing of the  
36 internal core to extract platinum, palladium, rhodium, or other  
37 metals, unless the person is a licensed scrap metal processor or  
38 scrap metal recycler.



1 (2) Any licensed scrap metal processor or scrap metal recycler  
2 engaged in disassembling or de-canning catalytic converters as  
3 described in this section shall maintain the records of every  
4 catalytic converter the scrap metal processor or scrap metal recycler  
5 possesses or processes as required under this chapter.

6 (3) Any licensed scrap metal processor or scrap metal recycler  
7 engaged in disassembling or de-canning catalytic converters as  
8 described in this section shall implement a 30-day waiting period  
9 between the purchase and disassembly or de-canning of a catalytic  
10 converter, unless the scrap metal processor or scrap metal recycler  
11 is also the registered owner of the originating vehicle.

12 NEW SECTION. **Sec. 8.** A new section is added to chapter 43.43  
13 RCW to read as follows:

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

16 (1) Conduct periodic inspections at least once a year of all  
17 licensed purchasers of catalytic converters that have been removed  
18 from vehicles, as described under RCW 19.290.050, to ensure  
19 compliance with the requirements of chapter 19.290 RCW;

20 (2) Develop a standardized inspection form and train local law  
21 enforcement agencies, civilian employees, and limited authority law  
22 enforcement personnel on inspection procedures of licensed  
23 purchasers;

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

27 (4) Allow inspections to be conducted by civilian employees or  
28 limited authority law enforcement agencies to increase the  
29 availability of potential inspectors.

30 NEW SECTION. **Sec. 9.** A new section is added to chapter 9A.82  
31 RCW to read as follows:

32 (1) A person is guilty of trafficking in catalytic converters in  
33 the second degree if he or she knowingly traffics catalytic  
34 converters that have been removed from a motor vehicle and the person  
35 purchases four or fewer catalytic converters, and they do not fulfill  
36 the requirements of chapter 19.290 RCW for a lawful transfer.

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



1 Rape of a Child 1 (RCW 9A.44.073)  
2 Trafficking 2 (RCW 9A.40.100(3))  
3 XI Manslaughter 1 (RCW 9A.32.060)  
4 Rape 2 (RCW 9A.44.050)  
5 Rape of a Child 2 (RCW 9A.44.076)  
6 Vehicular Homicide, by being under the  
7 influence of intoxicating liquor or  
8 any drug (RCW 46.61.520)  
9 Vehicular Homicide, by the operation of  
10 any vehicle in a reckless manner  
11 (RCW 46.61.520)  
12 X Child Molestation 1 (RCW 9A.44.083)  
13 Criminal Mistreatment 1 (RCW  
14 9A.42.020)  
15 Indecent Liberties (with forcible  
16 compulsion) (RCW  
17 9A.44.100(1)(a))  
18 Kidnapping 1 (RCW 9A.40.020)  
19 Leading Organized Crime (RCW  
20 9A.82.060(1)(a))  
21 Malicious explosion 3 (RCW  
22 70.74.280(3))  
23 Sexually Violent Predator Escape (RCW  
24 9A.76.115)  
25 IX Abandonment of Dependent Person 1  
26 (RCW 9A.42.060)  
27 Assault of a Child 2 (RCW 9A.36.130)  
28 Explosive devices prohibited (RCW  
29 70.74.180)  
30 Hit and Run—Death (RCW  
31 46.52.020(4)(a))  
32 Homicide by Watercraft, by being under  
33 the influence of intoxicating liquor  
34 or any drug (RCW 79A.60.050)

1 Inciting Criminal Profiteering (RCW  
2 9A.82.060(1)(b))  
3 Malicious placement of an explosive 2  
4 (RCW 70.74.270(2))  
5 Robbery 1 (RCW 9A.56.200)  
6 Sexual Exploitation (RCW 9.68A.040)  
7 VIII Arson 1 (RCW 9A.48.020)  
8 Commercial Sexual Abuse of a Minor  
9 (RCW 9.68A.100)  
10 Homicide by Watercraft, by the  
11 operation of any vessel in a reckless  
12 manner (RCW 79A.60.050)  
13 Manslaughter 2 (RCW 9A.32.070)  
14 Promoting Prostitution 1 (RCW  
15 9A.88.070)  
16 Theft of Ammonia (RCW 69.55.010)  
17 VII Air bag diagnostic systems (causing  
18 bodily injury or death) (RCW  
19 46.37.660(2)(b))  
20 Air bag replacement requirements  
21 (causing bodily injury or death)  
22 (RCW 46.37.660(1)(b))  
23 Burglary 1 (RCW 9A.52.020)  
24 Child Molestation 2 (RCW 9A.44.086)  
25 Civil Disorder Training (RCW  
26 9A.48.120)  
27 Dealing in depictions of minor engaged  
28 in sexually explicit conduct 1  
29 (RCW 9.68A.050(1))  
30 Drive-by Shooting (RCW 9A.36.045)  
31 False Reporting 1 (RCW  
32 9A.84.040(2)(a))  
33 Homicide by Watercraft, by disregard  
34 for the safety of others (RCW  
35 79A.60.050)

1 Indecent Liberties (without forcible  
2 compulsion) (RCW 9A.44.100(1)  
3 (b) and (c))  
4 Introducing Contraband 1 (RCW  
5 9A.76.140)  
6 Malicious placement of an explosive 3  
7 (RCW 70.74.270(3))  
8 Manufacture or import counterfeit,  
9 nonfunctional, damaged, or  
10 previously deployed air bag  
11 (causing bodily injury or death)  
12 (RCW 46.37.650(1)(b))  
13 Negligently Causing Death By Use of a  
14 Signal Preemption Device (RCW  
15 46.37.675)  
16 Sell, install, or reinstall counterfeit,  
17 nonfunctional, damaged, or  
18 previously deployed airbag (RCW  
19 46.37.650(2)(b))  
20 Sending, bringing into state depictions  
21 of minor engaged in sexually  
22 explicit conduct 1 (RCW  
23 9.68A.060(1))  
24 Unlawful Possession of a Firearm in the  
25 first degree (RCW 9.41.040(1))  
26 Use of a Machine Gun or Bump-fire  
27 Stock in Commission of a Felony  
28 (RCW 9.41.225)  
29 Vehicular Homicide, by disregard for  
30 the safety of others (RCW  
31 46.61.520)  
32 VI Bail Jumping with Murder 1 (RCW  
33 9A.76.170(3)(a))  
34 Bribery (RCW 9A.68.010)  
35 Incest 1 (RCW 9A.64.020(1))  
36 Intimidating a Judge (RCW 9A.72.160)

1 Intimidating a Juror/Witness (RCW  
2 9A.72.110, 9A.72.130)  
3 Malicious placement of an imitation  
4 device 2 (RCW 70.74.272(1)(b))  
5 Possession of Depictions of a Minor  
6 Engaged in Sexually Explicit  
7 Conduct 1 (RCW 9.68A.070(1))  
8 Rape of a Child 3 (RCW 9A.44.079)  
9 Theft of a Firearm (RCW 9A.56.300)  
10 Theft from a Vulnerable Adult 1 (RCW  
11 9A.56.400(1))  
12 Unlawful Storage of Ammonia (RCW  
13 69.55.020)  
14 V Abandonment of Dependent Person 2  
15 (RCW 9A.42.070)  
16 Advancing money or property for  
17 extortionate extension of credit  
18 (RCW 9A.82.030)  
19 Air bag diagnostic systems (RCW  
20 46.37.660(2)(c))  
21 Air bag replacement requirements  
22 (RCW 46.37.660(1)(c))  
23 Bail Jumping with class A Felony  
24 (RCW 9A.76.170(3)(b))  
25 Child Molestation 3 (RCW 9A.44.089)  
26 Criminal Mistreatment 2 (RCW  
27 9A.42.030)  
28 Custodial Sexual Misconduct 1 (RCW  
29 9A.44.160)  
30 Dealing in Depictions of Minor  
31 Engaged in Sexually Explicit  
32 Conduct 2 (RCW 9.68A.050(2))

1 Domestic Violence Court Order  
2 Violation (RCW 7.105.450,  
3 10.99.040, 10.99.050, 26.09.300,  
4 26.10.220, 26.26B.050, 26.50.110,  
5 26.52.070, or 74.34.145)  
6 Extortion 1 (RCW 9A.56.120)  
7 Extortionate Extension of Credit (RCW  
8 9A.82.020)  
9 Extortionate Means to Collect  
10 Extensions of Credit (RCW  
11 9A.82.040)  
12 Incest 2 (RCW 9A.64.020(2))  
13 Kidnapping 2 (RCW 9A.40.030)  
14 Manufacture or import counterfeit,  
15 nonfunctional, damaged, or  
16 previously deployed air bag (RCW  
17 46.37.650(1)(c))  
18 Perjury 1 (RCW 9A.72.020)  
19 Persistent prison misbehavior (RCW  
20 9.94.070)  
21 Possession of a Stolen Firearm (RCW  
22 9A.56.310)  
23 Rape 3 (RCW 9A.44.060)  
24 Rendering Criminal Assistance 1 (RCW  
25 9A.76.070)  
26 Sell, install, or reinstall counterfeit,  
27 nonfunctional, damaged, or  
28 previously deployed airbag (RCW  
29 46.37.650(2)(c))  
30 Sending, Bringing into State Depictions  
31 of Minor Engaged in Sexually  
32 Explicit Conduct 2 (RCW  
33 9.68A.060(2))  
34 Sexual Misconduct with a Minor 1  
35 (RCW 9A.44.093)

1 Sexually Violating Human Remains  
2 (RCW 9A.44.105)  
3 Stalking (RCW 9A.46.110)  
4 Taking Motor Vehicle Without  
5 Permission 1 (RCW 9A.56.070)  
6 IV Arson 2 (RCW 9A.48.030)  
7 Assault 2 (RCW 9A.36.021)  
8 Assault 3 (of a Peace Officer with a  
9 Projectile Stun Gun) (RCW  
10 9A.36.031(1)(h))  
11 Assault 4 (third domestic violence  
12 offense) (RCW 9A.36.041(3))  
13 Assault by Watercraft (RCW  
14 79A.60.060)  
15 Bribing a Witness/Bribe Received by  
16 Witness (RCW 9A.72.090,  
17 9A.72.100)  
18 Cheating 1 (RCW 9A.46.1961)  
19 Commercial Bribery (RCW 9A.68.060)  
20 Counterfeiting (RCW 9A.16.035(4))  
21 Driving While Under the Influence  
22 (RCW 46.61.502(6))  
23 Endangerment with a Controlled  
24 Substance (RCW 9A.42.100)  
25 Escape 1 (RCW 9A.76.110)  
26 Hate Crime (RCW 9A.36.080)  
27 Hit and Run—Injury (RCW  
28 46.52.020(4)(b))  
29 Hit and Run with Vessel—Injury  
30 Accident (RCW 79A.60.200(3))  
31 Identity Theft 1 (RCW 9A.35.020(2))  
32 Indecent Exposure to Person Under Age  
33 14 (subsequent sex offense) (RCW  
34 9A.88.010)



1 Influencing Outcome of Sporting Event  
2 (RCW 9A.82.070)  
3 Physical Control of a Vehicle While  
4 Under the Influence (RCW  
5 46.61.504(6))  
6 Possession of Depictions of a Minor  
7 Engaged in Sexually Explicit  
8 Conduct 2 (RCW 9.68A.070(2))  
9 Residential Burglary (RCW 9A.52.025)  
10 Robbery 2 (RCW 9A.56.210)  
11 Theft of Livestock 1 (RCW 9A.56.080)  
12 Threats to Bomb (RCW 9.61.160)  
13 Trafficking in Catalytic Converters 1  
14 (section 10 of this act)  
15 Trafficking in Stolen Property 1 (RCW  
16 9A.82.050)  
17 Unlawful factoring of a credit card or  
18 payment card transaction (RCW  
19 9A.56.290(4)(b))  
20 Unlawful transaction of health coverage  
21 as a health care service contractor  
22 (RCW 48.44.016(3))  
23 Unlawful transaction of health coverage  
24 as a health maintenance  
25 organization (RCW 48.46.033(3))  
26 Unlawful transaction of insurance  
27 business (RCW 48.15.023(3))  
28 Unlicensed practice as an insurance  
29 professional (RCW 48.17.063(2))  
30 Use of Proceeds of Criminal  
31 Profiteering (RCW 9A.82.080 (1)  
32 and (2))  
33 Vehicle Prowling 2 (third or subsequent  
34 offense) (RCW 9A.52.100(3))

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 Viewing of Depictions of a Minor  
7 Engaged in Sexually Explicit  
8 Conduct 1 (RCW 9.68A.075(1))

9 Willful Failure to Return from Furlough  
10 (RCW 72.66.060)

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 Intimidating a Public Servant (RCW  
35 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) (RCW  
35 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 9 of this act)  
5 Trafficking in Stolen Property 2 (RCW  
6 9A.82.055)  
7 Unlawful Hunting of Big Game 1 (RCW  
8 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 Willful Failure to Return from Work  
27 Release (RCW 72.65.070)  
28 II Commercial Fishing Without a License  
29 1 (RCW 77.15.500(3)(b))  
30 Computer Trespass 1 (RCW 9A.90.040)  
31 Counterfeiting (RCW 9.16.035(3))  
32 Electronic Data Service Interference  
33 (RCW 9A.90.060)  
34 Electronic Data Tampering 1 (RCW  
35 9A.90.080)  
36 Electronic Data Theft (RCW 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 Retail Theft with Special Circumstances  
22 2 (RCW 9A.56.360(3))  
23 Scrap Processing, Recycling, or  
24 Supplying Without a License  
25 (second or subsequent offense)  
26 (RCW 19.290.100)  
27 Theft 1 (RCW 9A.56.030)  
28 Theft of a Motor Vehicle (RCW  
29 9A.56.065)  
30 Theft of Rental, Leased, Lease-  
31 purchased, or Loaned Property  
32 (valued at \$5,000 or more) (RCW  
33 9A.56.096(5)(a))  
34 Theft with the Intent to Resell 2 (RCW  
35 9A.56.340(3))

1 Trafficking in Insurance Claims (RCW  
2 48.30A.015)  
3 Unlawful factoring of a credit card or  
4 payment card transaction (RCW  
5 9A.56.290(4)(a))  
6 Unlawful Participation of Non-Indians  
7 in Indian Fishery (RCW  
8 77.15.570(2))  
9 Unlawful Practice of Law (RCW  
10 2.48.180)  
11 Unlawful Purchase or Use of a License  
12 (RCW 77.15.650(3)(b))  
13 Unlawful Trafficking in Fish, Shellfish,  
14 or Wildlife 2 (RCW  
15 77.15.260(3)(a))  
16 Unlicensed Practice of a Profession or  
17 Business (RCW 18.130.190(7))  
18 Voyeurism 1 (RCW 9A.44.115)  
19 I Attempting to Elude a Pursuing Police  
20 Vehicle (RCW 46.61.024)  
21 False Verification for Welfare (RCW  
22 74.08.055)  
23 Forgery (RCW 9A.60.020)  
24 Fraudulent Creation or Revocation of a  
25 Mental Health Advance Directive  
26 (RCW 9A.60.060)  
27 Malicious Mischief 2 (RCW 9A.48.080)  
28 Mineral Trespass (RCW 78.44.330)  
29 Possession of Stolen Property 2 (RCW  
30 9A.56.160)  
31 Reckless Burning 1 (RCW 9A.48.040)  
32 Spotlighting Big Game 1 (RCW  
33 77.15.450(3)(b))  
34 Suspension of Department Privileges 1  
35 (RCW 77.15.670(3)(b))

1 Taking Motor Vehicle Without  
2 Permission 2 (RCW 9A.56.075)  
3 Theft 2 (RCW 9A.56.040)  
4 Theft from a Vulnerable Adult 2 (RCW  
5 9A.56.400(2))  
6 Theft of Rental, Leased, Lease-  
7 purchased, or Loaned Property  
8 (valued at \$750 or more but less  
9 than \$5,000) (RCW  
10 9A.56.096(5)(b))  
11 Transaction of insurance business  
12 beyond the scope of licensure  
13 (RCW 48.17.063)  
14 Unlawful Fish and Shellfish Catch  
15 Accounting (RCW 77.15.630(3)(b))  
16 Unlawful Issuance of Checks or Drafts  
17 (RCW 9A.56.060)  
18 Unlawful Possession of Fictitious  
19 Identification (RCW 9A.56.320)  
20 Unlawful Possession of Instruments of  
21 Financial Fraud (RCW 9A.56.320)  
22 Unlawful Possession of Payment  
23 Instruments (RCW 9A.56.320)  
24 Unlawful Possession of a Personal  
25 Identification Device (RCW  
26 9A.56.320)  
27 Unlawful Production of Payment  
28 Instruments (RCW 9A.56.320)  
29 Unlawful Releasing, Planting,  
30 Possessing, or Placing Deleterious  
31 Exotic Wildlife (RCW  
32 77.15.250(2)(b))  
33 Unlawful Trafficking in Food Stamps  
34 (RCW 9.91.142)  
35 Unlawful Use of Food Stamps (RCW  
36 9.91.144)

1 Unlawful Use of Net to Take Fish 1  
2 (RCW 77.15.580(3)(b))  
3 Unlawful Use of Prohibited Aquatic  
4 Animal Species (RCW  
5 77.15.253(3))  
6 Vehicle Prowl 1 (RCW 9A.52.095)  
7 Violating Commercial Fishing Area or  
8 Time 1 (RCW 77.15.550(3)(b))

9 NEW SECTION. **Sec. 12.** This act is necessary for the immediate  
10 preservation of the public peace, health, or safety, or support of  
11 the state government and its existing public institutions, and takes  
12 effect May 1, 2023.

--- END ---