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**SENATE BILL 5644**

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**State of Washington**

**69th Legislature**

**2025 Regular Session**

**By** Senator Wagoner

1 AN ACT Relating to deterring criminal conduct involving gift  
2 cards; amending RCW 9A.56.010 and 9A.60.020; reenacting and amending  
3 RCW 9.94A.515; adding a new section to chapter 9A.56 RCW; adding a  
4 new section to chapter 9A.60 RCW; and prescribing penalties.

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

6 **Sec. 1.** RCW 9A.56.010 and 2017 c 266 s 7 are each amended to  
7 read as follows:

8 The following definitions are applicable in this chapter unless  
9 the context otherwise requires:

10 (1) "Access device" means any card, plate, code, account number,  
11 or other means of account access that can be used alone or in  
12 conjunction with another access device to obtain money, goods,  
13 services, or anything else of value, or that can be used to initiate  
14 a transfer of funds, other than a transfer originated solely by paper  
15 instrument;

16 (2) "Appropriate lost or misdelivered property or services" means  
17 obtaining or exerting control over the property or services of  
18 another which the actor knows to have been lost or mislaid, or to  
19 have been delivered under a mistake as to identity of the recipient  
20 or as to the nature or amount of the property;

1 (3) "Beverage crate" means a plastic or metal box-like container  
2 used by a manufacturer or distributor in the transportation or  
3 distribution of individually packaged beverages to retail outlets,  
4 and affixed with language stating "property of . . . . .," "owned  
5 by . . . . .," or other markings or words identifying ownership;

6 (4) "By color or aid of deception" means that the deception  
7 operated to bring about the obtaining of the property or services; it  
8 is not necessary that deception be the sole means of obtaining the  
9 property or services;

10 (5) "Deception" occurs when an actor knowingly:

11 (a) Creates or confirms another's false impression which the  
12 actor knows to be false; or

13 (b) Fails to correct another's impression which the actor  
14 previously has created or confirmed; or

15 (c) Prevents another from acquiring information material to the  
16 disposition of the property involved; or

17 (d) Transfers or encumbers property without disclosing a lien,  
18 adverse claim, or other legal impediment to the enjoyment of the  
19 property, whether that impediment is or is not valid, or is or is not  
20 a matter of official record; or

21 (e) Promises performance which the actor does not intend to  
22 perform or knows will not be performed;

23 (6) "Deprive" in addition to its common meaning means to make  
24 unauthorized use or an unauthorized copy of records, information,  
25 data, trade secrets, or computer programs;

26 (7) "Mail," in addition to its common meaning, means any letter,  
27 postal card, package, bag, or other item that is addressed to a  
28 specific address for delivery by the United States postal service or  
29 any commercial carrier performing the function of delivering similar  
30 items to residences or businesses, provided the mail:

31 (a)(i) Is addressed with a specific person's name, family name,  
32 or company, business, or corporation name on the outside of the item  
33 of mail or on the contents inside; and

34 (ii) Is not addressed to a generic unnamed occupant or resident  
35 of the address without an identifiable person, family, or company,  
36 business, or corporation name on the outside of the item of mail or  
37 on the contents inside; and

38 (b) Has been left for collection or delivery in any letter box,  
39 mailbox, mail receptacle, or other authorized depository for mail, or  
40 given to a mail carrier, or left with any private business that

1 provides mailboxes or mail addresses for customers or when left in a  
2 similar location for collection or delivery by any commercial  
3 carrier; or

4 (c) Is in transit with a postal service, mail carrier, letter  
5 carrier, commercial carrier, or that is at or in a postal vehicle,  
6 postal station, mailbox, postal airplane, transit station, or similar  
7 location of a commercial carrier; or

8 (d) Has been delivered to the intended address, but has not been  
9 received by the intended addressee.

10 Mail, for purposes of chapter 164, Laws of 2011, does not include  
11 magazines, catalogs, direct mail inserts, newsletters, advertising  
12 circulars, or any mail that is considered third-class mail by the  
13 United States postal service;

14 (8) "Mailbox," in addition to its common meaning, means any  
15 authorized depository or receptacle of mail for the United States  
16 postal service or authorized depository for a commercial carrier that  
17 provides services to the general public, including any address to  
18 which mail is or can be addressed, or a place where the United States  
19 postal service or equivalent commercial carrier delivers mail to its  
20 addressee;

21 (9) "Merchandise pallet" means a wood or plastic carrier designed  
22 and manufactured as an item on which products can be placed before or  
23 during transport to retail outlets, manufacturers, or contractors,  
24 and affixed with language stating "property of . . .," "owned  
25 by . . .," or other markings or words identifying ownership;

26 (10) "Obtain control over" in addition to its common meaning,  
27 means:

28 (a) In relation to property, to bring about a transfer or  
29 purported transfer to the obtainer or another of a legally recognized  
30 interest in the property; or

31 (b) In relation to labor or service, to secure performance  
32 thereof for the benefits of the obtainer or another;

33 (11) "Owner" means a person, other than the actor, who has  
34 possession of or any other interest in the property or services  
35 involved, and without whose consent the actor has no authority to  
36 exert control over the property or services;

37 (12) "Parking area" means a parking lot or other property  
38 provided by retailers for use by a customer for parking an automobile  
39 or other vehicle;

1 (13) "Receive" includes, but is not limited to, acquiring title,  
2 possession, control, or a security interest, or any other interest in  
3 the property;

4 (14) "Received by the intended addressee" means that the  
5 addressee, owner of the delivery mailbox, or authorized agent has  
6 removed the delivered mail from its delivery mailbox;

7 (15) "Services" includes, but is not limited to, labor,  
8 professional services, transportation services, electronic computer  
9 services, the supplying of hotel accommodations, restaurant services,  
10 entertainment, the supplying of equipment for use, and the supplying  
11 of commodities of a public utility nature such as gas, electricity,  
12 steam, and water;

13 (16) "Shopping cart" means a basket mounted on wheels or similar  
14 container generally used in a retail establishment by a customer for  
15 the purpose of transporting goods of any kind;

16 (17) "Stolen" means obtained by theft, robbery, or extortion;

17 (18) "Subscription television service" means cable or encrypted  
18 video and related audio and data services intended for viewing on a  
19 home television by authorized members of the public only, who have  
20 agreed to pay a fee for the service. Subscription services include  
21 but are not limited to those video services presently delivered by  
22 coaxial cable, fiber optic cable, terrestrial microwave, television  
23 broadcast, and satellite transmission;

24 (19) "Telecommunication device" means (a) any type of instrument,  
25 device, machine, or equipment that is capable of transmitting or  
26 receiving telephonic or electronic communications; or (b) any part of  
27 such an instrument, device, machine, or equipment, or any computer  
28 circuit, computer chip, electronic mechanism, or other component,  
29 that is capable of facilitating the transmission or reception of  
30 telephonic or electronic communications;

31 (20) "Telecommunication service" includes any service other than  
32 subscription television service provided for a charge or compensation  
33 to facilitate the transmission, transfer, or reception of a  
34 telephonic communication or an electronic communication;

35 (21) Value. (a) "Value" means the market value of the property or  
36 services at the time and in the approximate area of the criminal act.

37 (b) Whether or not they have been issued or delivered, written  
38 instruments, except those having a readily ascertained market value,  
39 shall be evaluated as follows:

1 (i) The value of an instrument constituting an evidence of debt,  
2 such as a check, draft, or promissory note, shall be deemed the  
3 amount due or collectible thereon or thereby, that figure ordinarily  
4 being the face amount of the indebtedness less any portion thereof  
5 which has been satisfied;

6 (ii) The value of a ticket or equivalent instrument which  
7 evidences a right to receive transportation, entertainment, or other  
8 service shall be deemed the price stated thereon, if any; and if no  
9 price is stated thereon, the value shall be deemed the price of such  
10 ticket or equivalent instrument which the issuer charged the general  
11 public;

12 (iii) The value of any other instrument that creates, releases,  
13 discharges, or otherwise affects any valuable legal right, privilege,  
14 or obligation shall be deemed the greatest amount of economic loss  
15 which the owner of the instrument might reasonably suffer by virtue  
16 of the loss of the instrument;

17 (iv) The value of a gift card or gift card redemption information  
18 shall be deemed the greatest amount of economic loss the owner of the  
19 gift card or gift card redemption information might reasonably  
20 suffer, including the full monetary face value or potential value for  
21 open-loop gift cards.

22 (c) Except as provided in RCW 9A.56.340(4) and 9A.56.350(4),  
23 whenever any series of transactions which constitute theft, would,  
24 when considered separately, constitute theft in the third degree  
25 because of value, and said series of transactions are a part of a  
26 criminal episode or a common scheme or plan, then the transactions  
27 may be aggregated in one count and the sum of the value of all said  
28 transactions shall be the value considered in determining the degree  
29 of theft involved.

30 For purposes of this subsection, "criminal episode" means a  
31 series of thefts committed by the same person from one or more  
32 mercantile establishments on three or more occasions within a five-  
33 day period.

34 (d) Whenever any person is charged with possessing stolen  
35 property and such person has unlawfully in his possession at the same  
36 time the stolen property of more than one person, then the stolen  
37 property possessed may be aggregated in one count and the sum of the  
38 value of all said stolen property shall be the value considered in  
39 determining the degree of theft involved. Thefts committed by the  
40 same person in different counties that have been aggregated in one

1 county may be prosecuted in any county in which one of the thefts  
2 occurred.

3 (e) Property or services having value that cannot be ascertained  
4 pursuant to the standards set forth above shall be deemed to be of a  
5 value not exceeding two hundred and fifty dollars;

6 (22) "Vulnerable adult" includes a person eighteen years of age  
7 or older who:

8 (a) Is functionally, mentally, or physically unable to care for  
9 himself or herself; or

10 (b) Is suffering from a cognitive impairment other than voluntary  
11 intoxication;

12 (23) "Wrongfully obtains" or "exerts unauthorized control" means:

13 (a) To take the property or services of another;

14 (b) Having any property or services in one's possession, custody  
15 or control as bailee, factor, lessee, pledgee, renter, servant,  
16 attorney, agent, employee, trustee, executor, administrator,  
17 guardian, or officer of any person, estate, association, or  
18 corporation, or as a public officer, or person authorized by  
19 agreement or competent authority to take or hold such possession,  
20 custody, or control, to secrete, withhold, or appropriate the same to  
21 his or her own use or to the use of any person other than the true  
22 owner or person entitled thereto; or

23 (c) Having any property or services in one's possession, custody,  
24 or control as partner, to secrete, withhold, or appropriate the same  
25 to his or her use or to the use of any person other than the true  
26 owner or person entitled thereto, where the use is unauthorized by  
27 the partnership agreement;

28 (24) "Cardholder" means any person or party to whom a physical or  
29 digital gift card is issued through a purchase, or who receives a  
30 gift card from a willing party;

31 (25) "Card issuer" means any person that issues a gift card or  
32 the agent of that person with respect to the card;

33 (26) "Closed-loop gift card" means a card, code, or device that  
34 is issued to a consumer on a prepaid basis primarily for personal,  
35 family, or household purposes in a specified amount, regardless of  
36 whether that amount may be increased or reloaded in exchange for  
37 payment and is redeemable upon presentation by a consumer at a single  
38 merchant or group of affiliated merchants;

1       (27) "Gift card" means a physical or digital closed-loop gift  
2 card or open-loop gift card that is either activated or not yet  
3 activated;

4       (28) "Gift card redemption information" means information unique  
5 to each gift card which allows the cardholder to access, transfer, or  
6 spend the funds on that gift card;

7       (29) "Gift card seller" means a merchant that is engaged in the  
8 business of selling open-loop or closed-loop gift cards to consumers;

9       (30) "Open-loop gift card" means a card, code, or device that is  
10 issued to a consumer on a prepaid basis primarily for personal,  
11 family, or household purposes in a specified amount, regardless of  
12 whether that amount may be increased or reloaded in exchange for  
13 payment, and is redeemable upon presentation at multiple unaffiliated  
14 merchants for goods or services within the payment card network.

15       NEW SECTION. Sec. 2. A new section is added to chapter 9A.56  
16 RCW to read as follows:

17       (1) Any person who, with intent to defraud, acquires or retains  
18 possession of a gift card or gift card redemption information without  
19 the consent of the cardholder, card issuer, or gift card seller, is  
20 guilty of theft of a gift card as follows:

21       (a) Theft of a gift card is a first degree offense and class B  
22 felony if the value of the gift card or gift card redemption  
23 information exceeds \$5,000 in value.

24       (b) Theft of a gift card is a second degree offense and class C  
25 felony if the value of the gift card or gift card redemption  
26 information exceeds \$750 in value but does not exceed \$5,000 in  
27 value.

28       (c) Theft of a gift card is a third degree offense and gross  
29 misdemeanor if the value of the gift card or gift card redemption  
30 information does not exceed \$750 in value.

31       (2) Any person who, with intent to defraud, uses, for the purpose  
32 of obtaining money, goods, services, or anything else of value, a  
33 gift card or gift card redemption information that has been obtained  
34 in violation of subsection (1) of this section or RCW 9A.60.020(1)(c)  
35 is guilty of unlawful use of a gift card as follows:

36       (a) Unlawful use of a gift card is a first degree offense and  
37 class B felony if the value of the gift card or gift card redemption  
38 information exceeds \$5,000 in value.

1 (b) Unlawful use of a gift card is a second degree offense and  
2 class C felony if the value of the gift card or gift card redemption  
3 information exceeds \$750 in value but does not exceed \$5,000 in  
4 value.

5 (c) Unlawful use of a gift card is a third degree offense and  
6 gross misdemeanor if the value of the gift card or gift card  
7 redemption information does not exceed \$750 in value.

8 **Sec. 3.** RCW 9A.60.020 and 2011 c 336 s 382 are each amended to  
9 read as follows:

10 (1) A person is guilty of forgery if, with intent to injure or  
11 defraud:

12 (a) He or she falsely makes, completes, or alters a written  
13 instrument (~~(or)~~);

14 (b) He or she possesses, utters, offers, disposes of, or puts off  
15 as true a written instrument which he or she knows to be forged; or

16 (c) He or she alters or tampers with a gift card or gift card  
17 redemption information.

18 (2) In a proceeding under this section that is related to an  
19 identity theft under RCW 9.35.020, the crime will be considered to  
20 have been committed in any locality where the person whose means of  
21 identification or financial information was appropriated resides, or  
22 in which any part of the offense took place, regardless of whether  
23 the defendant was ever actually in that locality.

24 (3) Forgery is a class C felony.

25 NEW SECTION. **Sec. 4.** A new section is added to chapter 9A.60  
26 RCW to read as follows:

27 (1) A person is guilty of gift card fraud if he or she devises a  
28 scheme to obtain a gift card or gift card redemption information from  
29 a cardholder, card issuer, or gift card seller by means of false or  
30 fraudulent pretenses, representations, or promises.

31 (2) Gift card fraud is a class C felony.

32 **Sec. 5.** RCW 9.94A.515 and 2024 c 301 s 29 and 2024 c 55 s 1 are  
33 each reenacted and amended to read as follows:

34 TABLE 2

35 CRIMES INCLUDED WITHIN EACH  
36 SERIOUSNESS LEVEL

1 XVI Aggravated Murder 1 (RCW 10.95.020)  
2 XV Homicide by abuse (RCW 9A.32.055)  
3 Malicious explosion 1 (RCW  
4 70.74.280(1))  
5 Murder 1 (RCW 9A.32.030)  
6 XIV Murder 2 (RCW 9A.32.050)  
7 Trafficking 1 (RCW 9A.40.100(1))  
8 XIII Malicious explosion 2 (RCW  
9 70.74.280(2))  
10 Malicious placement of an explosive 1  
11 (RCW 70.74.270(1))  
12 XII Assault 1 (RCW 9A.36.011)  
13 Assault of a Child 1 (RCW 9A.36.120)  
14 Malicious placement of an imitation  
15 device 1 (RCW 70.74.272(1)(a))  
16 Promoting Commercial Sexual Abuse  
17 of a Minor (RCW 9.68A.101)  
18 Rape 1 (RCW 9A.44.040)  
19 Rape of a Child 1 (RCW 9A.44.073)  
20 Trafficking 2 (RCW 9A.40.100(3))  
21 XI Manslaughter 1 (RCW 9A.32.060)  
22 Rape 2 (RCW 9A.44.050)  
23 Rape of a Child 2 (RCW 9A.44.076)  
24 Vehicular Homicide, by being under the  
25 influence of intoxicating liquor or  
26 any drug (RCW 46.61.520)  
27 Vehicular Homicide, by the operation of  
28 any vehicle in a reckless manner  
29 (RCW 46.61.520)  
30 X Child Molestation 1 (RCW 9A.44.083)  
31 Criminal Mistreatment 1 (RCW  
32 9A.42.020)  
33 Indecent Liberties (with forcible  
34 compulsion) (RCW  
35 9A.44.100(1)(a))

1 Kidnapping 1 (RCW 9A.40.020)  
2 Leading Organized Crime (RCW  
3 9A.82.060(1)(a))  
4 Malicious explosion 3 (RCW  
5 70.74.280(3))  
6 Sexually Violent Predator Escape (RCW  
7 9A.76.115)  
8 IX Abandonment of Dependent Person 1  
9 (RCW 9A.42.060)  
10 Assault of a Child 2 (RCW 9A.36.130)  
11 Explosive devices prohibited (RCW  
12 70.74.180)  
13 Hit and Run—Death (RCW  
14 46.52.020(4)(a))  
15 Homicide by Watercraft, by being under  
16 the influence of intoxicating liquor  
17 or any drug (RCW 79A.60.050)  
18 Inciting Criminal Profiteering (RCW  
19 9A.82.060(1)(b))  
20 Malicious placement of an explosive 2  
21 (RCW 70.74.270(2))  
22 Robbery 1 (RCW 9A.56.200)  
23 Sexual Exploitation (RCW 9.68A.040)  
24 VIII Arson 1 (RCW 9A.48.020)  
25 Commercial Sexual Abuse of a Minor  
26 (RCW 9.68A.100)  
27 Homicide by Watercraft, by the  
28 operation of any vessel in a reckless  
29 manner (RCW 79A.60.050)  
30 Manslaughter 2 (RCW 9A.32.070)  
31 Promoting Prostitution 1 (RCW  
32 9A.88.070)  
33 Theft of Ammonia (RCW 69.55.010)

1 VII Air bag diagnostic systems (causing  
2 bodily injury or death) (RCW  
3 46.37.660(2)(b))  
4 Air bag replacement requirements  
5 (causing bodily injury or death)  
6 (RCW 46.37.660(1)(b))  
7 Burglary 1 (RCW 9A.52.020)  
8 Child Molestation 2 (RCW 9A.44.086)  
9 Civil Disorder Training (RCW  
10 9A.48.120)  
11 Custodial Sexual Misconduct 1 (RCW  
12 9A.44.160)  
13 Dealing in depictions of minor engaged  
14 in sexually explicit conduct 1  
15 (RCW 9.68A.050(1))  
16 Drive-by Shooting (RCW 9A.36.045)  
17 False Reporting 1 (RCW  
18 9A.84.040(2)(a))  
19 Homicide by Watercraft, by disregard  
20 for the safety of others (RCW  
21 79A.60.050)  
22 Indecent Liberties (without forcible  
23 compulsion) (RCW 9A.44.100(1)  
24 (b) and (c))  
25 Introducing Contraband 1 (RCW  
26 9A.76.140)  
27 Malicious placement of an explosive 3  
28 (RCW 70.74.270(3))  
29 Manufacture or import counterfeit,  
30 nonfunctional, damaged, or  
31 previously deployed air bag  
32 (causing bodily injury or death)  
33 (RCW 46.37.650(1)(b))  
34 Negligently Causing Death By Use of a  
35 Signal Preemption Device (RCW  
36 46.37.675)

1 Sell, install, or reinstall counterfeit,  
2 nonfunctional, damaged, or  
3 previously deployed airbag (RCW  
4 46.37.650(2)(b))  
5 Sending, bringing into state depictions  
6 of minor engaged in sexually  
7 explicit conduct 1 (RCW  
8 9.68A.060(1))  
9 Unlawful Possession of a Firearm in the  
10 first degree (RCW 9.41.040(1))  
11 Use of a Machine Gun or Bump-fire  
12 Stock in Commission of a Felony  
13 (RCW 9.41.225)  
14 Vehicular Homicide, by disregard for  
15 the safety of others (RCW  
16 46.61.520)  
17 VI Bail Jumping with Murder 1 (RCW  
18 9A.76.170(3)(a))  
19 Bribery (RCW 9A.68.010)  
20 Incest 1 (RCW 9A.64.020(1))  
21 Intimidating a Judge (RCW 9A.72.160)  
22 Intimidating a Juror/Witness (RCW  
23 9A.72.110, 9A.72.130)  
24 Malicious placement of an imitation  
25 device 2 (RCW 70.74.272(1)(b))  
26 Possession of Depictions of a Minor  
27 Engaged in Sexually Explicit  
28 Conduct 1 (RCW 9.68A.070(1))  
29 Rape of a Child 3 (RCW 9A.44.079)  
30 Theft of a Firearm (RCW 9A.56.300)  
31 Theft from a Vulnerable Adult 1 (RCW  
32 9A.56.400(1))  
33 Unlawful Storage of Ammonia (RCW  
34 69.55.020)  
35 V Abandonment of Dependent Person 2  
36 (RCW 9A.42.070)

1 Advancing money or property for  
2 extortionate extension of credit  
3 (RCW 9A.82.030)

4 Air bag diagnostic systems (RCW  
5 46.37.660(2)(c))

6 Air bag replacement requirements  
7 (RCW 46.37.660(1)(c))

8 Bail Jumping with class A Felony  
9 (RCW 9A.76.170(3)(b))

10 Child Molestation 3 (RCW 9A.44.089)

11 Criminal Mistreatment 2 (RCW  
12 9A.42.030)

13 Custodial Sexual Misconduct 2 (RCW  
14 9A.44.170)

15 Dealing in Depictions of Minor  
16 Engaged in Sexually Explicit  
17 Conduct 2 (RCW 9.68A.050(2))

18 Domestic Violence Court Order  
19 Violation (RCW 7.105.450,  
20 10.99.040, 10.99.050, 26.09.300,  
21 26.26B.050, or 26.52.070)

22 Extortion 1 (RCW 9A.56.120)

23 Extortionate Extension of Credit (RCW  
24 9A.82.020)

25 Extortionate Means to Collect  
26 Extensions of Credit (RCW  
27 9A.82.040)

28 Incest 2 (RCW 9A.64.020(2))

29 Kidnapping 2 (RCW 9A.40.030)

30 Manufacture or import counterfeit,  
31 nonfunctional, damaged, or  
32 previously deployed air bag (RCW  
33 46.37.650(1)(c))

34 Perjury 1 (RCW 9A.72.020)

35 Persistent prison misbehavior (RCW  
36 9.94.070)

1 Possession of a Stolen Firearm (RCW  
2 9A.56.310)  
3 Rape 3 (RCW 9A.44.060)  
4 Rendering Criminal Assistance 1 (RCW  
5 9A.76.070)  
6 Sell, install, or reinstall counterfeit,  
7 nonfunctional, damaged, or  
8 previously deployed airbag (RCW  
9 46.37.650(2)(c))  
10 Sending, Bringing into State Depictions  
11 of Minor Engaged in Sexually  
12 Explicit Conduct 2 (RCW  
13 9.68A.060(2))  
14 Sexual Misconduct with a Minor 1  
15 (RCW 9A.44.093)  
16 Sexually Violating Human Remains  
17 (RCW 9A.44.105)  
18 Stalking (RCW 9A.46.110)  
19 Taking Motor Vehicle Without  
20 Permission 1 (RCW 9A.56.070)  
21 IV Arson 2 (RCW 9A.48.030)  
22 Assault 2 (RCW 9A.36.021)  
23 Assault 3 (of a Peace Officer with a  
24 Projectile Stun Gun) (RCW  
25 9A.36.031(1)(h))  
26 Assault 4 (third domestic violence  
27 offense) (RCW 9A.36.041(3))  
28 Assault by Watercraft (RCW  
29 79A.60.060)  
30 Bribing a Witness/Bribe Received by  
31 Witness (RCW 9A.72.090,  
32 9A.72.100)  
33 Cheating 1 (RCW 9.46.1961)  
34 Commercial Bribery (RCW 9A.68.060)  
35 Counterfeiting (RCW 9.16.035(4))

1 Driving While Under the Influence  
2 (RCW 46.61.502(6))  
3 Endangerment with a Controlled  
4 Substance (RCW 9A.42.100)  
5 Escape 1 (RCW 9A.76.110)  
6 Hate Crime (RCW 9A.36.080)  
7 Hit and Run—Injury (RCW  
8 46.52.020(4)(b))  
9 Hit and Run with Vessel—Injury  
10 Accident (RCW 79A.60.200(3))  
11 Identity Theft 1 (RCW 9.35.020(2))  
12 Indecent Exposure to Person Under Age  
13 14 (subsequent sex offense) (RCW  
14 9A.88.010)  
15 Influencing Outcome of Sporting Event  
16 (RCW 9A.82.070)  
17 Physical Control of a Vehicle While  
18 Under the Influence (RCW  
19 46.61.504(6))  
20 Possession of Depictions of a Minor  
21 Engaged in Sexually Explicit  
22 Conduct 2 (RCW 9.68A.070(2))  
23 Residential Burglary (RCW 9A.52.025)  
24 Robbery 2 (RCW 9A.56.210)  
25 Theft of Livestock 1 (RCW 9A.56.080)  
26 Threats to Bomb (RCW 9.61.160)  
27 Trafficking in Catalytic Converters 1  
28 (RCW 9A.82.190)  
29 Trafficking in Stolen Property 1 (RCW  
30 9A.82.050)  
31 Unlawful factoring of a credit card or  
32 payment card transaction (RCW  
33 9A.56.290(4)(b))

1 Unlawful transaction of health coverage  
2 as a health care service contractor  
3 (RCW 48.44.016(3))  
4 Unlawful transaction of health coverage  
5 as a health maintenance  
6 organization (RCW 48.46.033(3))  
7 Unlawful transaction of insurance  
8 business (RCW 48.15.023(3))  
9 Unlicensed practice as an insurance  
10 professional (RCW 48.17.063(2))  
11 Use of Proceeds of Criminal  
12 Profiteering (RCW 9A.82.080 (1)  
13 and (2))  
14 Vehicle Prowling 2 (third or subsequent  
15 offense) (RCW 9A.52.100(3))  
16 Vehicular Assault, by being under the  
17 influence of intoxicating liquor or  
18 any drug, or by the operation or  
19 driving of a vehicle in a reckless  
20 manner (RCW 46.61.522)  
21 Viewing of Depictions of a Minor  
22 Engaged in Sexually Explicit  
23 Conduct 1 (RCW 9.68A.075(1))  
24 III Animal Cruelty 1 (RCW 16.52.205)  
25 Assault 3 (Except Assault 3 of a Peace  
26 Officer With a Projectile Stun Gun)  
27 (RCW 9A.36.031 except subsection  
28 (1)(h))  
29 Assault of a Child 3 (RCW 9A.36.140)  
30 Bail Jumping with class B or C Felony  
31 (RCW 9A.76.170(3)(c))  
32 Burglary 2 (RCW 9A.52.030)  
33 Communication with a Minor for  
34 Immoral Purposes (RCW  
35 9.68A.090)

1 Criminal Gang Intimidation (RCW  
2 9A.46.120)  
3 Custodial Assault (RCW 9A.36.100)  
4 Cyber Harassment (RCW  
5 9A.90.120(2)(b))  
6 Escape 2 (RCW 9A.76.120)  
7 Extortion 2 (RCW 9A.56.130)  
8 False Reporting 2 (RCW  
9 9A.84.040(2)(b))  
10 Harassment (RCW 9A.46.020)  
11 Hazing (RCW 28B.10.901(2)(b))  
12 Intimidating a Public Servant (RCW  
13 9A.76.180)  
14 Introducing Contraband 2 (RCW  
15 9A.76.150)  
16 Malicious Injury to Railroad Property  
17 (RCW 81.60.070)  
18 Manufacture of Untraceable Firearm  
19 with Intent to Sell (RCW 9.41.190)  
20 Manufacture or Assembly of an  
21 Undetectable Firearm or  
22 Untraceable Firearm (RCW  
23 9.41.325)  
24 Mortgage Fraud (RCW 19.144.080)  
25 Negligently Causing Substantial Bodily  
26 Harm By Use of a Signal  
27 Preemption Device (RCW  
28 46.37.674)  
29 Organized Retail Theft 1 (RCW  
30 9A.56.350(2))  
31 Perjury 2 (RCW 9A.72.030)  
32 Possession of Incendiary Device (RCW  
33 9.40.120)

1 Possession of Machine Gun, Bump-Fire  
2 Stock, Undetectable Firearm, or  
3 Short-Barreled Shotgun or Rifle  
4 (RCW 9.41.190)  
5 Promoting Prostitution 2 (RCW  
6 9A.88.080)  
7 Retail Theft with Special Circumstances  
8 1 (RCW 9A.56.360(2))  
9 Securities Act violation (RCW  
10 21.20.400)  
11 Tampering with a Witness (RCW  
12 9A.72.120)  
13 Telephone Harassment (subsequent  
14 conviction or threat of death)  
15 (RCW 9.61.230(2))  
16 Theft of Livestock 2 (RCW 9A.56.083)  
17 Theft with the Intent to Resell 1 (RCW  
18 9A.56.340(2))  
19 Trafficking in Catalytic Converters 2  
20 (RCW 9A.82.200)  
21 Trafficking in Stolen Property 2 (RCW  
22 9A.82.055)  
23 Unlawful Hunting of Big Game 1  
24 (RCW 77.15.410(3)(b))  
25 Unlawful Imprisonment (RCW  
26 9A.40.040)  
27 Unlawful Misbranding of Fish or  
28 Shellfish 1 (RCW 77.140.060(3))  
29 Unlawful possession of firearm in the  
30 second degree (RCW 9.41.040(2))  
31 Unlawful Taking of Endangered Fish or  
32 Wildlife 1 (RCW 77.15.120(3)(b))  
33 Unlawful Trafficking in Fish, Shellfish,  
34 or Wildlife 1 (RCW  
35 77.15.260(3)(b))

1 Unlawful Use of a Nondesignated  
2 Vessel (RCW 77.15.530(4))  
3 Vehicular Assault, by the operation or  
4 driving of a vehicle with disregard  
5 for the safety of others (RCW  
6 46.61.522)  
7 II Commercial Fishing Without a License  
8 1 (RCW 77.15.500(3)(b))  
9 Computer Trespass 1 (RCW 9A.90.040)  
10 Counterfeiting (RCW 9.16.035(3))  
11 Electronic Data Service Interference  
12 (RCW 9A.90.060)  
13 Electronic Data Tampering 1 (RCW  
14 9A.90.080)  
15 Electronic Data Theft (RCW  
16 9A.90.100)  
17 Engaging in Fish Dealing Activity  
18 Unlicensed 1 (RCW 77.15.620(3))  
19 Escape from Community Custody  
20 (RCW 72.09.310)  
21 Failure to Register as a Sex Offender  
22 (second or subsequent offense)  
23 (RCW 9A.44.130 prior to June 10,  
24 2010, and RCW 9A.44.132)  
25 Health Care False Claims (RCW  
26 48.80.030)  
27 Identity Theft 2 (RCW 9.35.020(3))  
28 Improperly Obtaining Financial  
29 Information (RCW 9.35.010)  
30 Malicious Mischief 1 (RCW 9A.48.070)  
31 Organized Retail Theft 2 (RCW  
32 9A.56.350(3))  
33 Possession of Stolen Property 1 (RCW  
34 9A.56.150)  
35 Possession of a Stolen Vehicle (RCW  
36 9A.56.068)

1 Possession, sale, or offering for sale of  
2 seven or more unmarked catalytic  
3 converters (RCW 9A.82.180(5))  
4 Retail Theft with Special Circumstances  
5 2 (RCW 9A.56.360(3))  
6 Scrap Processing, Recycling, or  
7 Supplying Without a License  
8 (second or subsequent offense)  
9 (RCW 19.290.100)  
10 Theft 1 (RCW 9A.56.030)  
11 Theft of a Gift Card 1 (section 2(1)(a) of  
12 this act)  
13 Theft of a Motor Vehicle (RCW  
14 9A.56.065)  
15 Theft of Rental, Leased, Lease-  
16 purchased, or Loaned Property  
17 (valued at \$5,000 or more) (RCW  
18 9A.56.096(5)(a))  
19 Theft with the Intent to Resell 2 (RCW  
20 9A.56.340(3))  
21 Trafficking in Insurance Claims (RCW  
22 48.30A.015)  
23 Unlawful factoring of a credit card or  
24 payment card transaction (RCW  
25 9A.56.290(4)(a))  
26 Unlawful Participation of Non-Indians  
27 in Indian Fishery (RCW  
28 77.15.570(2))  
29 Unlawful Practice of Law (RCW  
30 2.48.180)  
31 Unlawful Purchase or Use of a License  
32 (RCW 77.15.650(3)(b))  
33 Unlawful Trafficking in Fish, Shellfish,  
34 or Wildlife 2 (RCW  
35 77.15.260(3)(a))

1 Unlawful Use of a Gift Card 1 (section  
2 2(2)(a) of this act)  
3 Unlicensed Practice of a Profession or  
4 Business (RCW 18.130.190(7))  
5 Voyeurism 1 (RCW 9A.44.115)  
6 I Attempting to Elude a Pursuing Police  
7 Vehicle (RCW 46.61.024)  
8 False Verification for Welfare (RCW  
9 74.08.055)  
10 Forgery (RCW 9A.60.020)  
11 Fraudulent Creation or Revocation of a  
12 Mental Health Advance Directive  
13 (RCW 9A.60.060)  
14 Gift Card Fraud (section 4 of this act)  
15 Malicious Mischief 2 (RCW 9A.48.080)  
16 Mineral Trespass (RCW 78.44.330)  
17 Possession of Stolen Property 2 (RCW  
18 9A.56.160)  
19 Reckless Burning 1 (RCW 9A.48.040)  
20 Spotlighting Big Game 1 (RCW  
21 77.15.450(3)(b))  
22 Suspension of Department Privileges 1  
23 (RCW 77.15.670(3)(b))  
24 Taking Motor Vehicle Without  
25 Permission 2 (RCW 9A.56.075)  
26 Theft 2 (RCW 9A.56.040)  
27 Theft from a Vulnerable Adult 2 (RCW  
28 9A.56.400(2))  
29 Theft of a Gift Card 2 (section 2(1)(b)  
30 of this act)  
31 Theft of Rental, Leased, Lease-  
32 purchased, or Loaned Property  
33 (valued at \$750 or more but less  
34 than \$5,000) (RCW  
35 9A.56.096(5)(b))

1 Transaction of insurance business  
2 beyond the scope of licensure  
3 (RCW 48.17.063)  
4 Unlawful Fish and Shellfish Catch  
5 Accounting (RCW 77.15.630(3)(b))  
6 Unlawful Issuance of Checks or Drafts  
7 (RCW 9A.56.060)  
8 Unlawful Possession of Fictitious  
9 Identification (RCW 9A.56.320)  
10 Unlawful Possession of Instruments of  
11 Financial Fraud (RCW 9A.56.320)  
12 Unlawful Possession of Payment  
13 Instruments (RCW 9A.56.320)  
14 Unlawful Possession of a Personal  
15 Identification Device (RCW  
16 9A.56.320)  
17 Unlawful Production of Payment  
18 Instruments (RCW 9A.56.320)  
19 Unlawful Releasing, Planting,  
20 Possessing, or Placing Deleterious  
21 Exotic Wildlife (RCW  
22 77.15.250(2)(b))  
23 Unlawful Trafficking in Food Stamps  
24 (RCW 9.91.142)  
25 Unlawful Use of a Gift Card 2 (section  
26 2(2)(b) of this act)  
27 Unlawful Use of Food Stamps (RCW  
28 9.91.144)  
29 Unlawful Use of Net to Take Fish 1  
30 (RCW 77.15.580(3)(b))  
31 Vehicle Prowl 1 (RCW 9A.52.095)  
32 Violating Commercial Fishing Area or  
33 Time 1 (RCW 77.15.550(3)(b))

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