
SENATE BILL 5737

State of Washington 63rd Legislature 2013 Regular Session

By Senators Murray, Kohl-Welles, and Kline

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

1 AN ACT Relating to banning the sale of assault weapons; reenacting
2 and amending RCW 9.41.010 and 9.94A.515; adding a new section to
3 chapter 9.41 RCW; and prescribing penalties.

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

5 **Sec. 1.** RCW 9.41.010 and 2009 c 216 s 1 are each reenacted and
6 amended to read as follows:

7 Unless the context clearly requires otherwise, the definitions in
8 this section apply throughout this chapter.

9 (1) "Antique firearm" means a firearm or replica of a firearm not
10 designed or redesigned for using rim fire or conventional center fire
11 ignition with fixed ammunition and manufactured in or before 1898,
12 including any matchlock, flintlock, percussion cap, or similar type of
13 ignition system and also any firearm using fixed ammunition
14 manufactured in or before 1898, for which ammunition is no longer
15 manufactured in the United States and is not readily available in the
16 ordinary channels of commercial trade.

17 (2) "Barrel length" means the distance from the bolt face of a
18 closed action down the length of the axis of the bore to the crown of

1 the muzzle, or in the case of a barrel with attachments to the end of
2 any legal device permanently attached to the end of the muzzle.

3 (3) "Crime of violence" means:

4 (a) Any of the following felonies, as now existing or hereafter
5 amended: Any felony defined under any law as a class A felony or an
6 attempt to commit a class A felony, criminal solicitation of or
7 criminal conspiracy to commit a class A felony, manslaughter in the
8 first degree, manslaughter in the second degree, indecent liberties if
9 committed by forcible compulsion, kidnapping in the second degree,
10 arson in the second degree, assault in the second degree, assault of a
11 child in the second degree, extortion in the first degree, burglary in
12 the second degree, residential burglary, and robbery in the second
13 degree;

14 (b) Any conviction for a felony offense in effect at any time prior
15 to June 6, 1996, which is comparable to a felony classified as a crime
16 of violence in (a) of this subsection; and

17 (c) Any federal or out-of-state conviction for an offense
18 comparable to a felony classified as a crime of violence under (a) or
19 (b) of this subsection.

20 (4) "Dealer" means a person engaged in the business of selling
21 firearms at wholesale or retail who has, or is required to have, a
22 federal firearms license under 18 U.S.C. Sec. 923(a). A person who
23 does not have, and is not required to have, a federal firearms license
24 under 18 U.S.C. Sec. 923(a), is not a dealer if that person makes only
25 occasional sales, exchanges, or purchases of firearms for the
26 enhancement of a personal collection or for a hobby, or sells all or
27 part of his or her personal collection of firearms.

28 (5) "Family or household member" means "family" or "household
29 member" as used in RCW 10.99.020.

30 (6) "Felony" means any felony offense under the laws of this state
31 or any federal or out-of-state offense comparable to a felony offense
32 under the laws of this state.

33 (7) "Firearm" means a weapon or device from which a projectile or
34 projectiles may be fired by an explosive such as gunpowder.

35 (8) "Law enforcement officer" includes a general authority
36 Washington peace officer as defined in RCW 10.93.020, or a specially
37 commissioned Washington peace officer as defined in RCW 10.93.020.

1 "Law enforcement officer" also includes a limited authority Washington
2 peace officer as defined in RCW 10.93.020 if such officer is duly
3 authorized by his or her employer to carry a concealed pistol.

4 (9) "Lawful permanent resident" has the same meaning afforded a
5 person "lawfully admitted for permanent residence" in 8 U.S.C. Sec.
6 1101(a)(20).

7 (10) "Loaded" means:

8 (a) There is a cartridge in the chamber of the firearm;

9 (b) Cartridges are in a clip that is locked in place in the
10 firearm;

11 (c) There is a cartridge in the cylinder of the firearm, if the
12 firearm is a revolver;

13 (d) There is a cartridge in the tube or magazine that is inserted
14 in the action; or

15 (e) There is a ball in the barrel and the firearm is capped or
16 primed if the firearm is a muzzle loader.

17 (11) "Machine gun" means any firearm known as a machine gun,
18 mechanical rifle, submachine gun, or any other mechanism or instrument
19 not requiring that the trigger be pressed for each shot and having a
20 reservoir clip, disc, drum, belt, or other separable mechanical device
21 for storing, carrying, or supplying ammunition which can be loaded into
22 the firearm, mechanism, or instrument, and fired therefrom at the rate
23 of five or more shots per second.

24 (12) "Nonimmigrant alien" means a person defined as such in 8
25 U.S.C. Sec. 1101(a)(15).

26 (13) "Pistol" means any firearm with a barrel less than sixteen
27 inches in length, or is designed to be held and fired by the use of a
28 single hand.

29 (14) "Rifle" means a weapon designed or redesigned, made or remade,
30 and intended to be fired from the shoulder and designed or redesigned,
31 made or remade, and intended to use the energy of the explosive in a
32 fixed metallic cartridge to fire only a single projectile through a
33 rifled bore for each single pull of the trigger.

34 (15) "Sell" refers to the actual approval of the delivery of a
35 firearm in consideration of payment or promise of payment of a certain
36 price in money.

37 (16) "Serious offense" means any of the following felonies or a

1 felony attempt to commit any of the following felonies, as now existing
2 or hereafter amended:

3 (a) Any crime of violence;

4 (b) Any felony violation of the uniform controlled substances act,
5 chapter 69.50 RCW, that is classified as a class B felony or that has
6 a maximum term of imprisonment of at least ten years;

7 (c) Child molestation in the second degree;

8 (d) Incest when committed against a child under age fourteen;

9 (e) Indecent liberties;

10 (f) Leading organized crime;

11 (g) Promoting prostitution in the first degree;

12 (h) Rape in the third degree;

13 (i) Drive-by shooting;

14 (j) Sexual exploitation;

15 (k) Vehicular assault, when caused by the operation or driving of
16 a vehicle by a person while under the influence of intoxicating liquor
17 or any drug or by the operation or driving of a vehicle in a reckless
18 manner;

19 (l) Vehicular homicide, when proximately caused by the driving of
20 any vehicle by any person while under the influence of intoxicating
21 liquor or any drug as defined by RCW 46.61.502, or by the operation of
22 any vehicle in a reckless manner;

23 (m) Any other class B felony offense with a finding of sexual
24 motivation, as "sexual motivation" is defined under RCW 9.94A.030;

25 (n) Any other felony with a deadly weapon verdict under RCW
26 (~~9.94A.602~~) 9.94A.825; or

27 (o) Any felony offense in effect at any time prior to June 6, 1996,
28 that is comparable to a serious offense, or any federal or out-of-state
29 conviction for an offense that under the laws of this state would be a
30 felony classified as a serious offense.

31 (17) "Short-barreled rifle" means a rifle having one or more
32 barrels less than sixteen inches in length and any weapon made from a
33 rifle by any means of modification if such modified weapon has an
34 overall length of less than twenty-six inches.

35 (18) "Short-barreled shotgun" means a shotgun having one or more
36 barrels less than eighteen inches in length and any weapon made from a
37 shotgun by any means of modification if such modified weapon has an
38 overall length of less than twenty-six inches.

1 (19) "Shotgun" means a weapon with one or more barrels, designed or
2 redesigned, made or remade, and intended to be fired from the shoulder
3 and designed or redesigned, made or remade, and intended to use the
4 energy of the explosive in a fixed shotgun shell to fire through a
5 smooth bore either a number of ball shot or a single projectile for
6 each single pull of the trigger.

7 (20) "Assault weapon" means:

8 (a) Any semiautomatic pistol or semiautomatic or pump-action rifle
9 or shotgun that is capable of accepting a detachable magazine, with a
10 capacity to accept more than ten rounds of ammunition and that also
11 possesses any of the following:

12 (i) If the firearm is a rifle or shotgun, a pistol grip located
13 rear of the trigger;

14 (ii) If the firearm is a rifle or shotgun, a stock in any
15 configuration, including but not limited to a thumbhole stock, a
16 folding stock or a telescoping stock, that allows the bearer of the
17 firearm to grasp the firearm with the trigger hand such that the web of
18 the trigger hand, between the thumb and forefinger, can be placed below
19 the top of the external portion of the trigger during firing;

20 (iii) If the firearm is a pistol, a shoulder stock of any type or
21 configuration, including but not limited to a folding stock or a
22 telescoping stock;

23 (iv) A barrel shroud;

24 (v) A muzzle brake or muzzle compensator;

25 (vi) Any feature capable of functioning as a protruding grip that
26 can be held by the hand that is not the trigger hand;

27 (b) Any pistol that is capable of accepting a detachable magazine
28 at any location outside of the pistol grip;

29 (c) Any semiautomatic pistol, any semiautomatic, center-fire rifle,
30 or any shotgun with a fixed magazine that has the capacity to accept
31 more than ten rounds of ammunition;

32 (d) Any firearm with a threaded barrel designed to accommodate a
33 flash suppression or noise suppression device;

34 (e) Any shotgun capable of accepting a detachable magazine;

35 (f) Any shotgun with a revolving cylinder;

36 (g) Any conversion kit or other combination of parts from which an
37 assault weapon can be assembled if the parts are in the possession or
38 under the control of any person.

1 (21) "Detachable magazine" means a magazine, the function of which
2 is to deliver one or more ammunition cartridges into the firing
3 chamber, which can be removed from the firearm without the use of any
4 tool, including a bullet or ammunition cartridge.

5 (22) "Barrel shroud" means a covering, other than a slide, that is
6 attached to, or that substantially or completely encircles, the barrel
7 of a firearm and that allows the bearer of the firearm to hold the
8 barrel with the nonshooting hand while firing the firearm, without
9 burning that hand, except that the term does not include an extension
10 of the stock along the bottom of the barrel that does not substantially
11 or completely encircle the barrel.

12 (23) "Muzzle brake" means a device attached to the muzzle of a
13 weapon that utilizes escaping gas to reduce recoil.

14 (24) "Muzzle compensator" means a device attached to the muzzle of
15 a weapon that utilizes escaping gas to control muzzle movement.

16 (25) "Conversion kit" means any part or combination of parts
17 designed and intended for use in converting a firearm into an assault
18 weapon.

19 NEW SECTION. Sec. 2. A new section is added to chapter 9.41 RCW
20 to read as follows:

21 (1) No person in this state shall manufacture, possess, purchase,
22 sell, or otherwise transfer any assault weapon, or any assault weapon
23 conversion kit, except as authorized by subsection (3) of this section.
24 Any assault weapon or assault weapon conversion kit the manufacture,
25 possession, purchase, sale, or other transfer of which is prohibited
26 under this section is a public nuisance.

27 (2) No person in this state shall possess or have under his or her
28 control at one time both of the following:

29 (a) A semiautomatic or pump-action rifle, semiautomatic pistol, or
30 shotgun capable of accepting a detachable magazine; and

31 (b) Any magazine capable of use with that firearm that contains
32 more than ten rounds of ammunition.

33 (3) Subsection (1) of this section shall not apply to any of the
34 following:

35 (a) The possession of an unloaded assault weapon for the purpose of
36 permanently relinquishing it to a law enforcement agency in this state.

1 Any assault weapon relinquished pursuant to this subsection shall be
2 destroyed;

3 (b) The transfer of any assault weapon by a licensed manufacturer
4 or dealer to a law enforcement agency in this state for use by that
5 agency or its employees for law enforcement purposes;

6 (c) The possession of an assault weapon that was legally possessed
7 on the effective date of this section, but only if the person legally
8 possessing the assault weapon has complied with all of the requirements
9 of subsection (5) of this section;

10 (d) The possession of an assault weapon that has been permanently
11 disabled so that it is incapable of discharging a projectile.

12 (4) Subsection (2) of this section shall not apply to any person:

13 (a) While lawfully engaged in shooting at a duly licensed, lawfully
14 operated shooting range;

15 (b) While lawfully participating in a sporting event officially
16 sanctioned by a club or organization established in whole or in part
17 for the purpose of sponsoring sport shooting events.

18 (5) In order to continue to possess an assault weapon that was
19 legally possessed on the effective date of this section, the person
20 possessing the assault weapon shall do all of the following:

21 (a) Safely and securely store the assault weapon. The sheriff of
22 the county may, no more than once per year, conduct an inspection to
23 ensure compliance with this subsection;

24 (b) Possess the assault weapon only on property owned or
25 immediately controlled by the person, or while engaged in the legal use
26 of the assault weapon at a duly licensed firing range, or while
27 traveling to or from either of these locations for the purpose of
28 engaging in the legal use of the assault weapon, provided that the
29 assault weapon is stored unloaded and in a separate locked container
30 during transport.

31 (6) Notwithstanding any other provision of this section, any person
32 in this state who, after the effective date of this section, acquires
33 title to an assault weapon by inheritance, bequest, or succession,
34 shall, within thirty days of acquiring title, do one of the following:

35 (a) Comply with all of the requirements of subsection (5) of this
36 section;

37 (b) Dispose of the assault weapon pursuant to subsection (3)(a) of
38 this section; or

1 (c) Permanently disable the assault weapon so that it is incapable
2 of discharging a projectile.

3 (7)(a) Any person convicted of violating subsection (1) or (2) of
4 this section is guilty of a class C felony.

5 (b) Any person convicted of violating subsection (5) of this
6 section is guilty of a gross misdemeanor.

7 (8) This section does not apply to:

8 (a) Marshals, sheriffs, prison or jail wardens or their deputies,
9 or other law enforcement officers of this or another state while acting
10 within the scope of their duties;

11 (b) Members of the armed forces of the United States or of the
12 national guard or organized services, when on duty;

13 (c) Officers or employees of the United States duly authorized to
14 possess assault weapons; or

15 (d) Any person engaged in the business of manufacturing, repairing,
16 or dealing in assault weapons, or the representative or agent of the
17 person who is properly licensed under federal or state laws to do so
18 and who is acting within the usual and ordinary course of the business.

19 **Sec. 3.** RCW 9.94A.515 and 2012 c 176 s 3 and 2012 c 162 s 1 are
20 each reenacted and amended to read as follows:

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TABLE 2	
CRIMES INCLUDED WITHIN	
EACH SERIOUSNESS LEVEL	
XVI	Aggravated Murder 1 (RCW 10.95.020)
XV	Homicide by abuse (RCW 9A.32.055) Malicious explosion 1 (RCW 70.74.280(1)) Murder 1 (RCW 9A.32.030)
XIV	Murder 2 (RCW 9A.32.050) Trafficking 1 (RCW 9A.40.100(1))
XIII	Malicious explosion 2 (RCW 70.74.280(2)) Malicious placement of an explosive 1 (RCW 70.74.270(1))

1 XII Assault 1 (RCW 9A.36.011)
2 Assault of a Child 1 (RCW 9A.36.120)
3 Malicious placement of an imitation
4 device 1 (RCW 70.74.272(1)(a))
5 Promoting Commercial Sexual Abuse
6 of a Minor (RCW 9.68A.101)
7 Rape 1 (RCW 9A.44.040)
8 Rape of a Child 1 (RCW 9A.44.073)
9 Trafficking 2 (RCW 9A.40.100(2))
10 XI Manslaughter 1 (RCW 9A.32.060)
11 Rape 2 (RCW 9A.44.050)
12 Rape of a Child 2 (RCW 9A.44.076)
13 Vehicular Homicide, by being under
14 the influence of intoxicating liquor
15 or any drug (RCW 46.61.520)
16 X Child Molestation 1 (RCW 9A.44.083)
17 Criminal Mistreatment 1 (RCW
18 9A.42.020)
19 Indecent Liberties (with forcible
20 compulsion) (RCW
21 9A.44.100(1)(a))
22 Kidnapping 1 (RCW 9A.40.020)
23 Leading Organized Crime (RCW
24 9A.82.060(1)(a))
25 Malicious explosion 3 (RCW
26 70.74.280(3))
27 Sexually Violent Predator Escape
28 (RCW 9A.76.115)
29 IX Abandonment of Dependent Person 1
30 (RCW 9A.42.060)
31 Assault of a Child 2 (RCW 9A.36.130)
32 Explosive devices prohibited (RCW
33 70.74.180)
34 Hit and Run--Death (RCW
35 46.52.020(4)(a))

1 Homicide by Watercraft, by being
2 under the influence of intoxicating
3 liquor or any drug (RCW
4 79A.60.050)
5 Inciting Criminal Profiteering (RCW
6 9A.82.060(1)(b))
7 Malicious placement of an explosive 2
8 (RCW 70.74.270(2))
9 Robbery 1 (RCW 9A.56.200)
10 Sexual Exploitation (RCW 9.68A.040)
11 VIII Arson 1 (RCW 9A.48.020)
12 Commercial Sexual Abuse of a Minor
13 (RCW 9.68A.100)
14 Homicide by Watercraft, by the
15 operation of any vessel in a
16 reckless manner (RCW
17 79A.60.050)
18 Manslaughter 2 (RCW 9A.32.070)
19 Promoting Prostitution 1 (RCW
20 9A.88.070)
21 Theft of Ammonia (RCW 69.55.010)
22 Vehicular Homicide, by the operation
23 of any vehicle in a reckless manner
24 (RCW 46.61.520)
25 VII Burglary 1 (RCW 9A.52.020)
26 Child Molestation 2 (RCW 9A.44.086)
27 Civil Disorder Training (RCW
28 9A.48.120)
29 Dealing in depictions of minor engaged
30 in sexually explicit conduct 1
31 (RCW 9.68A.050(1))
32 Drive-by Shooting (RCW 9A.36.045)
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 Negligently Causing Death By Use of a
9 Signal Preemption Device (RCW
10 46.37.675)
11 Sending, bringing into state depictions
12 of minor engaged in sexually
13 explicit conduct 1 (RCW
14 9.68A.060(1))
15 Unlawful Possession of a Firearm in
16 the first degree (RCW 9.41.040(1))
17 Use of a Machine Gun in Commission
18 of a Felony (RCW 9.41.225)
19 Vehicular Homicide, by disregard for
20 the safety of others (RCW
21 46.61.520)
22 VI Bail Jumping with Murder 1 (RCW
23 9A.76.170(3)(a))
24 Bribery (RCW 9A.68.010)
25 Incest 1 (RCW 9A.64.020(1))
26 Intimidating a Judge (RCW 9A.72.160)
27 Intimidating a Juror/Witness (RCW
28 9A.72.110, 9A.72.130)
29 Malicious placement of an imitation
30 device 2 (RCW 70.74.272(1)(b))
31 Possession of Depictions of a Minor
32 Engaged in Sexually Explicit
33 Conduct 1 (RCW 9.68A.070(1))
34 Rape of a Child 3 (RCW 9A.44.079)
35 Theft of a Firearm (RCW 9A.56.300)
36 Unlawful Storage of Ammonia (RCW
37 69.55.020)

1 V Abandonment of Dependent Person 2
2 (RCW 9A.42.070)
3 Advancing money or property for
4 extortionate extension of credit
5 (RCW 9A.82.030)
6 Bail Jumping with class A Felony
7 (RCW 9A.76.170(3)(b))
8 Child Molestation 3 (RCW 9A.44.089)
9 Criminal Mistreatment 2 (RCW
10 9A.42.030)
11 Custodial Sexual Misconduct 1 (RCW
12 9A.44.160)
13 Dealing in Depictions of Minor
14 Engaged in Sexually Explicit
15 Conduct 2 (RCW 9.68A.050(2))
16 Domestic Violence Court Order
17 Violation (RCW 10.99.040,
18 10.99.050, 26.09.300, 26.10.220,
19 26.26.138, 26.50.110, 26.52.070,
20 or 74.34.145)
21 Driving While Under the Influence
22 (RCW 46.61.502(6))
23 Extortion 1 (RCW 9A.56.120)
24 Extortionate Extension of Credit (RCW
25 9A.82.020)
26 Extortionate Means to Collect
27 Extensions of Credit (RCW
28 9A.82.040)
29 Incest 2 (RCW 9A.64.020(2))
30 Kidnapping 2 (RCW 9A.40.030)
31 Perjury 1 (RCW 9A.72.020)
32 Persistent prison misbehavior (RCW
33 9.94.070)
34 Physical Control of a Vehicle While
35 Under the Influence (RCW
36 46.61.504(6))

1 Possession of a Stolen Firearm (RCW
2 9A.56.310)
3 Rape 3 (RCW 9A.44.060)
4 Rendering Criminal Assistance 1
5 (RCW 9A.76.070)
6 Sending, Bringing into State Depictions
7 of Minor Engaged in Sexually
8 Explicit Conduct 2 (RCW
9 9.68A.060(2))
10 Sexual Misconduct with a Minor 1
11 (RCW 9A.44.093)
12 Sexually Violating Human Remains
13 (RCW 9A.44.105)
14 Stalking (RCW 9A.46.110)
15 Taking Motor Vehicle Without
16 Permission 1 (RCW 9A.56.070)
17 IV Arson 2 (RCW 9A.48.030)
18 Assault 2 (RCW 9A.36.021)
19 Assault 3 (of a Peace Officer with a
20 Projectile Stun Gun) (RCW
21 9A.36.031(1)(h))
22 Assault by Watercraft (RCW
23 79A.60.060)
24 Bribing a Witness/Bribe Received by
25 Witness (RCW 9A.72.090,
26 9A.72.100)
27 Cheating 1 (RCW 9.46.1961)
28 Commercial Bribery (RCW 9A.68.060)
29 Counterfeiting (RCW 9.16.035(4))
30 Endangerment with a Controlled
31 Substance (RCW 9A.42.100)
32 Escape 1 (RCW 9A.76.110)
33 Hit and Run--Injury (RCW
34 46.52.020(4)(b))
35 Hit and Run with Vessel--Injury
36 Accident (RCW 79A.60.200(3))
37 Identity Theft 1 (RCW 9.35.020(2))

1 Indecent Exposure to Person Under
2 Age Fourteen (subsequent sex
3 offense) (RCW 9A.88.010)
4 Influencing Outcome of Sporting Event
5 (RCW 9A.82.070)
6 Malicious Harassment (RCW
7 9A.36.080)
8 Possession of Depictions of a Minor
9 Engaged in Sexually Explicit
10 Conduct 2 (RCW 9.68A.070(2))
11 Residential Burglary (RCW
12 9A.52.025)
13 Robbery 2 (RCW 9A.56.210)
14 Theft of Livestock 1 (RCW 9A.56.080)
15 Threats to Bomb (RCW 9.61.160)
16 Trafficking in Stolen Property 1 (RCW
17 9A.82.050)
18 Unlawful factoring of a credit card or
19 payment card transaction (RCW
20 9A.56.290(4)(b))
21 Unlawful transaction of health
22 coverage as a health care service
23 contractor (RCW 48.44.016(3))
24 Unlawful transaction of health
25 coverage as a health maintenance
26 organization (RCW 48.46.033(3))
27 Unlawful transaction of insurance
28 business (RCW 48.15.023(3))
29 Unlicensed practice as an insurance
30 professional (RCW 48.17.063(2))
31 Use of Proceeds of Criminal
32 Profiteering (RCW 9A.82.080 (1)
33 and (2))

1 Vehicular Assault, by being under the
2 influence of intoxicating liquor or
3 any drug, or by the operation or
4 driving of a vehicle in a reckless
5 manner (RCW 46.61.522)
6 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
10 Furlough (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
15 Gun) (RCW 9A.36.031 except
16 subsection (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 Cyberstalking (subsequent conviction
28 or threat of death) (RCW
29 9.61.260(3))
30 Escape 2 (RCW 9A.76.120)
31 Extortion 2 (RCW 9A.56.130)
32 Harassment (RCW 9A.46.020)
33 Intimidating a Public Servant (RCW
34 9A.76.180)
35 Introducing Contraband 2 (RCW
36 9A.76.150)

1 Malicious Injury to Railroad Property
2 (RCW 81.60.070)
3 Manufacture, Possess, Purchase, Sell,
4 Transfer of Assault Weapon,
5 Assault Weapon Conversion Kit
6 (section 2(1) of this act)
7 Mortgage Fraud (RCW 19.144.080)
8 Negligently Causing Substantial Bodily
9 Harm By Use of a Signal
10 Preemption Device (RCW
11 46.37.674)
12 Organized Retail Theft 1 (RCW
13 9A.56.350(2))
14 Perjury 2 (RCW 9A.72.030)
15 Possess or Control Rifle or Pistol and
16 Magazine Containing More Than
17 Ten Rounds (section 2(2) of this
18 act)
19 Possession of Incendiary Device (RCW
20 9.40.120)
21 Possession of Machine Gun or Short-
22 Barreled Shotgun or Rifle (RCW
23 9.41.190)
24 Promoting Prostitution 2 (RCW
25 9A.88.080)
26 Retail Theft with Extenuating
27 Circumstances 1 (RCW
28 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 Stolen Property 2 (RCW
4 9A.82.055)
5 Unlawful Hunting of Big Game 1
6 (RCW 77.15.410(3)(b))
7 Unlawful Imprisonment (RCW
8 9A.40.040)
9 Unlawful possession of firearm in the
10 second degree (RCW 9A.10.040(2))
11 Unlawful Taking of Endangered Fish
12 or Wildlife 1 (RCW
13 77.15.120(3)(b))
14 Unlawful Trafficking in Fish, Shellfish,
15 or Wildlife 1 (RCW
16 77.15.260(3)(b))
17 Unlawful Use of a Nondesignated
18 Vessel (RCW 77.15.530(4))
19 Vehicular Assault, by the operation or
20 driving of a vehicle with disregard
21 for the safety of others (RCW
22 46.61.522)
23 Willful Failure to Return from Work
24 Release (RCW 72.65.070)
25 II Commercial Fishing Without a License
26 1 (RCW 77.15.500(3)(b))
27 Computer Trespass 1 (RCW
28 9A.52.110)
29 Counterfeiting (RCW 9.16.035(3))
30 Engaging in Fish Dealing Activity
31 Unlicensed 1 (RCW 77.15.620(3))
32 Escape from Community Custody
33 (RCW 72.09.310)
34 Failure to Register as a Sex Offender
35 (second or subsequent offense)
36 (RCW 9A.44.132)

1 Health Care False Claims (RCW
2 48.80.030)
3 Identity Theft 2 (RCW 9.35.020(3))
4 Improperly Obtaining Financial
5 Information (RCW 9.35.010)
6 Malicious Mischief 1 (RCW
7 9A.48.070)
8 Organized Retail Theft 2 (RCW
9 9A.56.350(3))
10 Possession of Stolen Property 1 (RCW
11 9A.56.150)
12 Possession of a Stolen Vehicle (RCW
13 9A.56.068)
14 Retail Theft with Extenuating
15 Circumstances 2 (RCW
16 9A.56.360(3))
17 Theft 1 (RCW 9A.56.030)
18 Theft of a Motor Vehicle (RCW
19 9A.56.065)
20 Theft of Rental, Leased, or Lease-
21 purchased Property (valued at one
22 thousand five hundred dollars or
23 more) (RCW 9A.56.096(5)(a))
24 Theft with the Intent to Resell 2 (RCW
25 9A.56.340(3))
26 Trafficking in Insurance Claims (RCW
27 48.30A.015)
28 Unlawful factoring of a credit card or
29 payment card transaction (RCW
30 9A.56.290(4)(a))
31 Unlawful Participation of Non-Indians
32 in Indian Fishery (RCW
33 77.15.570(2))
34 Unlawful Practice of Law (RCW
35 2.48.180)
36 Unlicensed Practice of a Profession or
37 Business (RCW 18.130.190(7))

1 Unlawful Purchase or Use of a License
2 (RCW 77.15.650(3)(b))
3 Unlawful Trafficking in Fish, Shellfish,
4 or Wildlife 2 (RCW
5 77.15.260(3)(a))
6 Voyeurism (RCW 9A.44.115)
7 I Attempting to Elude a Pursuing Police
8 Vehicle (RCW 46.61.024)
9 False Verification for Welfare (RCW
10 74.08.055)
11 Forgery (RCW 9A.60.020)
12 Fraudulent Creation or Revocation of a
13 Mental Health Advance Directive
14 (RCW 9A.60.060)
15 Malicious Mischief 2 (RCW
16 9A.48.080)
17 Mineral Trespass (RCW 78.44.330)
18 Possession of Stolen Property 2 (RCW
19 9A.56.160)
20 Reckless Burning 1 (RCW 9A.48.040)
21 Spotlighting Big Game 1 (RCW
22 77.15.450(3)(b))
23 Suspension of Department Privileges 1
24 (RCW 77.15.670(3)(b))
25 Taking Motor Vehicle Without
26 Permission 2 (RCW 9A.56.075)
27 Theft 2 (RCW 9A.56.040)
28 Theft of Rental, Leased, or Lease-
29 purchased Property (valued at two
30 hundred fifty dollars or more but
31 less than one thousand five
32 hundred dollars) (RCW
33 9A.56.096(5)(b))
34 Transaction of insurance business
35 beyond the scope of licensure
36 (RCW 48.17.063)

1 Unlawful Fish and Shellfish Catch
2 Accounting (RCW
3 77.15.630(3)(b))
4 Unlawful Issuance of Checks or Drafts
5 (RCW 9A.56.060)
6 Unlawful Possession of Fictitious
7 Identification (RCW 9A.56.320)
8 Unlawful Possession of Instruments of
9 Financial Fraud (RCW 9A.56.320)
10 Unlawful Possession of Payment
11 Instruments (RCW 9A.56.320)
12 Unlawful Possession of a Personal
13 Identification Device (RCW
14 9A.56.320)
15 Unlawful Production of Payment
16 Instruments (RCW 9A.56.320)
17 Unlawful Release of Deleterious Exotic
18 Wildlife (RCW 77.15.250(2)(b))
19 Unlawful Trafficking in Food Stamps
20 (RCW 9.91.142)
21 Unlawful Use of Food Stamps (RCW
22 9.91.144)
23 Unlawful Use of Net to Take Fish 1
24 (RCW 77.15.580(3)(b))
25 Unlawful Use of Prohibited Aquatic
26 Animal Species (RCW
27 77.15.253(3))
28 Vehicle Prowl 1 (RCW 9A.52.095)
29 Violating Commercial Fishing Area or
30 Time 1 (RCW 77.15.550(3)(b))

31 NEW SECTION. **Sec. 4.** If any provision of this act or its
32 application to any person or circumstance is held invalid, the
33 remainder of the act or the application of the provision to other
34 persons or circumstances is not affected.

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