
HOUSE BILL 2354

State of Washington

64th Legislature

2016 Regular Session

By Representative Moeller

Prefiled 01/05/16.

1 AN ACT Relating to assault weapons and large capacity magazines;
2 amending RCW 9.41.010 and 9.94A.515; adding a new section to chapter
3 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 2015 c 1 s 2 (Initiative Measure No.
6 594) are each 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
13 of 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
19 the muzzle, or in the case of a barrel with attachments to the end of
20 any legal device permanently attached to the end of the muzzle.

21 (3) "Crime of violence" means:

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

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

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

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

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

27 (6) "Felony" means any felony offense under the laws of this
28 state or any federal or out-of-state offense comparable to a felony
29 offense under the laws of this state.

30 (7) "Felony firearm offender" means a person who has previously
31 been convicted or found not guilty by reason of insanity in this
32 state of any felony firearm offense. A person is not a felony firearm
33 offender under this chapter if any and all qualifying offenses have
34 been the subject of an expungement, pardon, annulment, certificate,
35 or rehabilitation, or other equivalent procedure based on a finding
36 of the rehabilitation of the person convicted or a pardon, annulment,
37 or other equivalent procedure based on a finding of innocence.

38 (8) "Felony firearm offense" means:

39 (a) Any felony offense that is a violation of this chapter;

40 (b) A violation of RCW 9A.36.045;

1 (c) A violation of RCW 9A.56.300;
2 (d) A violation of RCW 9A.56.310;
3 (e) Any felony offense if the offender was armed with a firearm
4 in the commission of the offense.
5 (9) "Firearm" means a weapon or device from which a projectile or
6 projectiles may be fired by an explosive such as gunpowder.
7 (10) "Gun" has the same meaning as firearm.
8 (11) "Law enforcement officer" includes a general authority
9 Washington peace officer as defined in RCW 10.93.020, or a specially
10 commissioned Washington peace officer as defined in RCW 10.93.020.
11 "Law enforcement officer" also includes a limited authority
12 Washington peace officer as defined in RCW 10.93.020 if such officer
13 is duly authorized by his or her employer to carry a concealed
14 pistol.
15 (12) "Lawful permanent resident" has the same meaning afforded a
16 person "lawfully admitted for permanent residence" in 8 U.S.C. Sec.
17 1101(a)(20).
18 (13) "Licensed dealer" means a person who is federally licensed
19 under 18 U.S.C. Sec. 923(a).
20 (14) "Loaded" means:
21 (a) There is a cartridge in the chamber of the firearm;
22 (b) Cartridges are in a clip that is locked in place in the
23 firearm;
24 (c) There is a cartridge in the cylinder of the firearm, if the
25 firearm is a revolver;
26 (d) There is a cartridge in the tube or magazine that is inserted
27 in the action; or
28 (e) There is a ball in the barrel and the firearm is capped or
29 primed if the firearm is a muzzle loader.
30 (15) "Machine gun" means any firearm known as a machine gun,
31 mechanical rifle, submachine gun, or any other mechanism or
32 instrument not requiring that the trigger be pressed for each shot
33 and having a reservoir clip, disc, drum, belt, or other separable
34 mechanical device for storing, carrying, or supplying ammunition
35 which can be loaded into the firearm, mechanism, or instrument, and
36 fired therefrom at the rate of five or more shots per second.
37 (16) "Nonimmigrant alien" means a person defined as such in 8
38 U.S.C. Sec. 1101(a)(15).

1 (17) "Person" means any individual, corporation, company,
2 association, firm, partnership, club, organization, society, joint
3 stock company, or other legal entity.

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

7 (19) "Rifle" means a weapon designed or redesigned, made or
8 remade, and intended to be fired from the shoulder and designed or
9 redesigned, made or remade, and intended to use the energy of the
10 explosive in a fixed metallic cartridge to fire only a single
11 projectile through a rifled bore for each single pull of the trigger.

12 (20) "Sale" and "sell" mean the actual approval of the delivery
13 of a firearm in consideration of payment or promise of payment.

14 (21) "Serious offense" means any of the following felonies or a
15 felony attempt to commit any of the following felonies, as now
16 existing or hereafter amended:

17 (a) Any crime of violence;

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

21 (c) Child molestation in the second degree;

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

23 (e) Indecent liberties;

24 (f) Leading organized crime;

25 (g) Promoting prostitution in the first degree;

26 (h) Rape in the third degree;

27 (i) Drive-by shooting;

28 (j) Sexual exploitation;

29 (k) Vehicular assault, when caused by the operation or driving of
30 a vehicle by a person while under the influence of intoxicating
31 liquor or any drug or by the operation or driving of a vehicle in a
32 reckless manner;

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

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

39 (n) Any other felony with a deadly weapon verdict under RCW
40 9.94A.825;

1 (o) Any felony offense in effect at any time prior to June 6,
2 1996, that is comparable to a serious offense, or any federal or out-
3 of-state conviction for an offense that under the laws of this state
4 would be a felony classified as a serious offense; or

5 (p) Any felony conviction under RCW 9.41.115.

6 (22) "Short-barreled rifle" means a rifle having one or more
7 barrels less than sixteen inches in length and any weapon made from a
8 rifle by any means of modification if such modified weapon has an
9 overall length of less than twenty-six inches.

10 (23) "Short-barreled shotgun" means a shotgun having one or more
11 barrels less than eighteen inches in length and any weapon made from
12 a shotgun by any means of modification if such modified weapon has an
13 overall length of less than twenty-six inches.

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

20 (25) "Transfer" means the intended delivery of a firearm to
21 another person without consideration of payment or promise of payment
22 including, but not limited to, gifts and loans.

23 (26) "Unlicensed person" means any person who is not a licensed
24 dealer under this chapter.

25 (27) "Assault weapon" means:

26 (a) A semiautomatic rifle that has the capacity to accept a
27 detachable magazine and has one or more of the following:

28 (i) A pistol grip or thumbhole stock;

29 (ii) Any feature capable of functioning as a protruding grip that
30 can be held by the nontrigger hand;

31 (iii) A folding or telescoping stock;

32 (iv) A shroud attached to the barrel, or that partially or
33 completely encircles the barrel, allowing the bearer to hold the
34 firearm with the nontrigger hand without being burned, but excluding
35 a slide that encloses the barrel;

36 (b) A semiautomatic pistol, or a semiautomatic, centerfire, or
37 rimfire rifle with a fixed magazine, that has the capacity to accept
38 more than ten rounds of ammunition;

39 (c) A semiautomatic pistol that has the capacity to accept a
40 detachable magazine and has one or more of the following:

1 (i) Any feature capable of functioning as a protruding grip that
2 can be held by the nontrigger hand;

3 (ii) A folding stock, telescoping stock, or thumbhole stock;

4 (iii) A shroud attached to the barrel, or that partially or
5 completely encircles the barrel, allowing the bearer to hold the
6 firearm with the nontrigger hand without being burned, but excluding
7 a slide that encloses the barrel; or

8 (iv) The capacity to accept a detachable magazine at any location
9 outside of the pistol grip;

10 (d) A semiautomatic shotgun that has one or more of the
11 following:

12 (i) A pistol grip or thumbhole stock;

13 (ii) Any feature capable of functioning as a protruding grip that
14 can be held by the nontrigger hand;

15 (iii) A folding or telescoping stock;

16 (iv) A fixed magazine capacity in excess of five rounds; or

17 (v) An ability to accept a detachable magazine;

18 (e) A shotgun with a revolving cylinder; or

19 (f) A conversion kit, part, or combination of parts, from which
20 an assault weapon can be assembled if those parts are in the
21 possession or under the control of the same person.

22 "Assault weapon" does not include antique firearms, any firearm
23 that has been made permanently inoperable, or any firearm that is
24 manually operated by bolt, pump, lever, or slide action.

25 (28) "Detachable magazine" means an ammunition feeding device
26 that can be loaded or unloaded while detached from a firearm and
27 readily inserted into a firearm.

28 (29) "Large capacity magazine" means an ammunition feeding device
29 with the capacity to accept more than ten rounds of ammunition, or
30 any conversion kit, part, or combination of parts, from which such a
31 device can be assembled if those parts are in the possession or under
32 the control of the same person, but shall not be construed to include
33 any of the following:

34 (a) An ammunition feeding device that has been permanently
35 altered so that it cannot accommodate more than ten rounds of
36 ammunition;

37 (b) A twenty-two caliber tube ammunition feeding device; or

38 (c) A tubular magazine that is contained in a lever-action
39 firearm.

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

3 (1) No person in this state may manufacture, possess, purchase,
4 sell, or otherwise transfer any assault weapon or large capacity
5 magazine except as authorized in this section.

6 (2) Subsection (1) of this section does not apply to any of the
7 following:

8 (a) The possession of an assault weapon or large capacity
9 magazine by a person who legally possessed the assault weapon or
10 large capacity magazine prior to the effective date of this section,
11 or possession of an assault weapon or large capacity magazine by a
12 person who, on or after the effective date of this section, acquires
13 possession of the assault weapon or large capacity magazine by
14 operation of law upon the death of the former owner who was in legal
15 possession of the assault weapon or large capacity magazine. A person
16 who legally possesses an assault weapon or large capacity magazine
17 under this subsection (2)(a) may not sell or transfer the assault
18 weapon to any other person in this state other than to a licensed
19 dealer, to a federally licensed gun smith for the purpose of service
20 or repair, or to a law enforcement agency for the purpose of
21 permanently relinquishing the assault weapon or large capacity
22 magazine;

23 (b) Any government officer, agent, or employee, member of the
24 armed forces of the United States or the state of Washington, or law
25 enforcement officer, to the extent that such person is otherwise
26 authorized to acquire or possess an assault weapon or large capacity
27 magazine and does so while acting within the scope of his or her
28 duties;

29 (c) The manufacture and sale or transfer of an assault weapon or
30 large capacity magazine by a licensed firearms manufacturer for the
31 purposes of sale to any branch of the armed forces of the United
32 States or the state of Washington, or to a law enforcement agency in
33 this state for use by that agency or its employees;

34 (d) The possession and sale or transfer of an assault weapon or
35 large capacity magazine by a dealer that is properly licensed under
36 federal and state law to any branch of the armed forces of the United
37 States or the state of Washington, or to a law enforcement agency in
38 this state for use by that agency or its employees for law
39 enforcement purposes;

1 (e) The possession and sale or transfer of an assault weapon or
2 large capacity magazine by a dealer that is properly licensed under
3 federal and state law where the dealer acquires the assault weapon or
4 large capacity magazine from a person legally authorized to possess
5 or transfer the assault weapon or large capacity magazine under (a)
6 of this subsection for the purpose of selling or transferring the
7 assault weapon or large capacity magazine to a person who does not
8 reside in this state;

9 (f) The transfer to and possession of a legally possessed assault
10 weapon or large capacity magazine by a federally licensed gunsmith
11 for the purposes of service or repair, and the return of the assault
12 weapon or large capacity magazine to the lawful owner; and

13 (g) The possession and transport of an unloaded assault weapon
14 for the purpose of permanently relinquishing it to a law enforcement
15 agency in this state. An assault weapon relinquished to a law
16 enforcement agency under this subsection must be destroyed.

17 (3) A person who violates this section is guilty of a class C
18 felony punishable under chapter 9A.20 RCW.

19 **Sec. 3.** RCW 9.94A.515 and 2015 c 261 s 11 are each amended to
20 read as follows:

21 TABLE 2

22 CRIMES INCLUDED WITHIN
23 EACH SERIOUSNESS LEVEL

24	XVI	Aggravated Murder 1 (RCW
25		10.95.020)
26	XV	Homicide by abuse (RCW 9A.32.055)
27		Malicious explosion 1 (RCW
28		70.74.280(1))
29		Murder 1 (RCW 9A.32.030)
30	XIV	Murder 2 (RCW 9A.32.050)
31		Trafficking 1 (RCW 9A.40.100(1))
32	XIII	Malicious explosion 2 (RCW
33		70.74.280(2))
34		Malicious placement of an explosive 1
35		(RCW 70.74.270(1))
36	XII	Assault 1 (RCW 9A.36.011)

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

1 Homicide by Watercraft, by being
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
24 manner (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
17 9.41.040(1))
18 Use of a Machine Gun in Commission
19 of a Felony (RCW 9.41.225)
20 Vehicular Homicide, by disregard for
21 the safety of others (RCW
22 46.61.520)
23 VI Bail Jumping with Murder 1 (RCW
24 9A.76.170(3)(a))
25 Bribery (RCW 9A.68.010)
26 Incest 1 (RCW 9A.64.020(1))
27 Intimidating a Judge (RCW 9A.72.160)
28 Intimidating a Juror/Witness (RCW
29 9A.72.110, 9A.72.130)
30 Malicious placement of an imitation
31 device 2 (RCW 70.74.272(1)(b))
32 Possession of Depictions of a Minor
33 Engaged in Sexually Explicit
34 Conduct 1 (RCW 9.68A.070(1))
35 Rape of a Child 3 (RCW 9A.44.079)
36 Theft of a Firearm (RCW 9A.56.300)

1 Unlawful Storage of Ammonia (RCW
2 69.55.020)

3 V Abandonment of Dependent Person 2
4 (RCW 9A.42.070)

5 Advancing money or property for
6 extortionate extension of credit
7 (RCW 9A.82.030)

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 1 (RCW
14 9A.44.160)

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 10.99.040,
20 10.99.050, 26.09.300, 26.10.220,
21 26.26.138, 26.50.110, 26.52.070,
22 or 74.34.145)

23 Driving While Under the Influence
24 (RCW 46.61.502(6))

25 Extortion 1 (RCW 9A.56.120)

26 Extortionate Extension of Credit (RCW
27 9A.82.020)

28 Extortionate Means to Collect
29 Extensions of Credit (RCW
30 9A.82.040)

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

32 Kidnapping 2 (RCW 9A.40.030)

33 Perjury 1 (RCW 9A.72.020)

34 Persistent prison misbehavior (RCW
35 9.94.070)

1 Physical Control of a Vehicle While
2 Under the Influence (RCW
3 46.61.504(6))
4 Possession of a Stolen Firearm (RCW
5 9A.56.310)
6 Rape 3 (RCW 9A.44.060)
7 Rendering Criminal Assistance 1
8 (RCW 9A.76.070)
9 Sending, Bringing into State
10 Depictions of Minor Engaged in
11 Sexually Explicit Conduct 2
12 (RCW 9.68A.060(2))
13 Sexual Misconduct with a Minor 1
14 (RCW 9A.44.093)
15 Sexually Violating Human Remains
16 (RCW 9A.44.105)
17 Stalking (RCW 9A.46.110)
18 Taking Motor Vehicle Without
19 Permission 1 (RCW 9A.56.070)
20 IV Arson 2 (RCW 9A.48.030)
21 Assault 2 (RCW 9A.36.021)
22 Assault 3 (of a Peace Officer with a
23 Projectile Stun Gun) (RCW
24 9A.36.031(1)(h))
25 Assault by Watercraft (RCW
26 79A.60.060)
27 Bribing a Witness/Bribe Received by
28 Witness (RCW 9A.72.090,
29 9A.72.100)
30 Cheating 1 (RCW 9.46.1961)
31 Commercial Bribery (RCW
32 9A.68.060)
33 Counterfeiting (RCW 9.16.035(4))
34 Endangerment with a Controlled
35 Substance (RCW 9A.42.100)

1 Escape 1 (RCW 9A.76.110)
2 Hit and Run—Injury (RCW
3 46.52.020(4)(b))
4 Hit and Run with Vessel—Injury
5 Accident (RCW 79A.60.200(3))
6 Identity Theft 1 (RCW 9.35.020(2))
7 Indecent Exposure to Person Under
8 Age Fourteen (subsequent sex
9 offense) (RCW 9A.88.010)
10 Influencing Outcome of Sporting Event
11 (RCW 9A.82.070)
12 Malicious Harassment (RCW
13 9A.36.080)
14 Possession of Depictions of a Minor
15 Engaged in Sexually Explicit
16 Conduct 2 (RCW 9.68A.070(2))
17 Residential Burglary (RCW
18 9A.52.025)
19 Robbery 2 (RCW 9A.56.210)
20 Theft of Livestock 1 (RCW 9A.56.080)
21 Threats to Bomb (RCW 9.61.160)
22 Trafficking in Stolen Property 1 (RCW
23 9A.82.050)
24 Unlawful factoring of a credit card or
25 payment card transaction (RCW
26 9A.56.290(4)(b))
27 Unlawful transaction of health
28 coverage as a health care service
29 contractor (RCW 48.44.016(3))
30 Unlawful transaction of health
31 coverage as a health maintenance
32 organization (RCW 48.46.033(3))
33 Unlawful transaction of insurance
34 business (RCW 48.15.023(3))
35 Unlicensed practice as an insurance
36 professional (RCW 48.17.063(2))

1 Use of Proceeds of Criminal
2 Profiteering (RCW 9A.82.080 (1)
3 and (2))
4 Vehicle Prowling 2 (third or
5 subsequent offense) (RCW
6 9A.52.100(3))
7 Vehicular Assault, by being under the
8 influence of intoxicating liquor or
9 any drug, or by the operation or
10 driving of a vehicle in a reckless
11 manner (RCW 46.61.522)
12 Viewing of Depictions of a Minor
13 Engaged in Sexually Explicit
14 Conduct 1 (RCW 9.68A.075(1))
15 Willful Failure to Return from
16 Furlough (RCW 72.66.060)
17 III Animal Cruelty 1 (Sexual Conduct or
18 Contact) (RCW 16.52.205(3))
19 Assault 3 (Except Assault 3 of a Peace
20 Officer With a Projectile Stun
21 Gun) (RCW 9A.36.031 except
22 subsection (1)(h))
23 Assault of a Child 3 (RCW 9A.36.140)
24 Bail Jumping with class B or C Felony
25 (RCW 9A.76.170(3)(c))
26 Burglary 2 (RCW 9A.52.030)
27 Communication with a Minor for
28 Immoral Purposes (RCW
29 9.68A.090)
30 Criminal Gang Intimidation (RCW
31 9A.46.120)
32 Custodial Assault (RCW 9A.36.100)
33 Cyberstalking (subsequent conviction
34 or threat of death) (RCW
35 9.61.260(3))
36 Escape 2 (RCW 9A.76.120)

1 Extortion 2 (RCW 9A.56.130)
2 Harassment (RCW 9A.46.020)
3 Intimidating a Public Servant (RCW
4 9A.76.180)
5 Introducing Contraband 2 (RCW
6 9A.76.150)
7 Malicious Injury to Railroad Property
8 (RCW 81.60.070)
9 Manufacture, Possess, Purchase, Sell,
10 Transfer of Assault Weapon or
11 Large Capacity Magazine (section
12 2 of this act)
13 Mortgage Fraud (RCW 19.144.080)
14 Negligently Causing Substantial
15 Bodily Harm By Use of a Signal
16 Preemption Device (RCW
17 46.37.674)
18 Organized Retail Theft 1 (RCW
19 9A.56.350(2))
20 Perjury 2 (RCW 9A.72.030)
21 Possession of Incendiary Device (RCW
22 9.40.120)
23 Possession of Machine Gun or Short-
24 Barreled Shotgun or Rifle (RCW
25 9.41.190)
26 Promoting Prostitution 2 (RCW
27 9A.88.080)
28 Retail Theft with Special
29 Circumstances 1 (RCW
30 9A.56.360(2))
31 Securities Act violation (RCW
32 21.20.400)
33 Tampering with a Witness (RCW
34 9A.72.120)

1 Telephone Harassment (subsequent
2 conviction or threat of death)
3 (RCW 9.61.230(2))
4 Theft of Livestock 2 (RCW 9A.56.083)
5 Theft with the Intent to Resell 1 (RCW
6 9A.56.340(2))
7 Trafficking in Stolen Property 2 (RCW
8 9A.82.055)
9 Unlawful Hunting of Big Game 1
10 (RCW 77.15.410(3)(b))
11 Unlawful Imprisonment (RCW
12 9A.40.040)
13 Unlawful Misbranding of Food Fish or
14 Shellfish 1 (RCW 69.04.938(3))
15 Unlawful possession of firearm in the
16 second degree (RCW 9.41.040(2))
17 Unlawful Taking of Endangered Fish
18 or Wildlife 1 (RCW
19 77.15.120(3)(b))
20 Unlawful Trafficking in Fish, Shellfish,
21 or Wildlife 1 (RCW
22 77.15.260(3)(b))
23 Unlawful Use of a Nondesignated
24 Vessel (RCW 77.15.530(4))
25 Vehicular Assault, by the operation or
26 driving of a vehicle with disregard
27 for the safety of others (RCW
28 46.61.522)
29 Willful Failure to Return from Work
30 Release (RCW 72.65.070)
31 II Commercial Fishing Without a License
32 1 (RCW 77.15.500(3)(b))
33 Computer Trespass 1 (RCW
34 9A.52.110)
35 Counterfeiting (RCW 9.16.035(3))

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
15 9A.48.070)
16 Organized Retail Theft 2 (RCW
17 9A.56.350(3))
18 Possession of Stolen Property 1 (RCW
19 9A.56.150)
20 Possession of a Stolen Vehicle (RCW
21 9A.56.068)
22 Retail Theft with Special
23 Circumstances 2 (RCW
24 9A.56.360(3))
25 Scrap Processing, Recycling, or
26 Supplying Without a License
27 (second or subsequent offense)
28 (RCW 19.290.100)
29 Theft 1 (RCW 9A.56.030)
30 Theft of a Motor Vehicle (RCW
31 9A.56.065)
32 Theft of Rental, Leased, ~~((one))~~ Lease-
33 purchased, or Loaned Property
34 (valued at ~~((one))~~ five thousand
35 ~~((five hundred))~~ dollars or more)
36 (RCW 9A.56.096(5)(a))

1 Theft with the Intent to Resell 2 (RCW
2 9A.56.340(3))
3 Trafficking in Insurance Claims (RCW
4 48.30A.015)
5 Unlawful factoring of a credit card or
6 payment card transaction (RCW
7 9A.56.290(4)(a))
8 Unlawful Participation of Non-Indians
9 in Indian Fishery (RCW
10 77.15.570(2))
11 Unlawful Practice of Law (RCW
12 2.48.180)
13 Unlawful Purchase or Use of a License
14 (RCW 77.15.650(3)(b))
15 Unlawful Trafficking in Fish, Shellfish,
16 or Wildlife 2 (RCW
17 77.15.260(3)(a))
18 Unlicensed Practice of a Profession or
19 Business (RCW 18.130.190(7))
20 Voyeurism (RCW 9A.44.115)
21 I Attempting to Elude a Pursuing Police
22 Vehicle (RCW 46.61.024)
23 False Verification for Welfare (RCW
24 74.08.055)
25 Forgery (RCW 9A.60.020)
26 Fraudulent Creation or Revocation of a
27 Mental Health Advance Directive
28 (RCW 9A.60.060)
29 Malicious Mischief 2 (RCW
30 9A.48.080)
31 Mineral Trespass (RCW 78.44.330)
32 Possession of Stolen Property 2 (RCW
33 9A.56.160)
34 Reckless Burning 1 (RCW 9A.48.040)
35 Spotlighting Big Game 1 (RCW
36 77.15.450(3)(b))

1 Suspension of Department Privileges 1
2 (RCW 77.15.670(3)(b))
3 Taking Motor Vehicle Without
4 Permission 2 (RCW 9A.56.075)
5 Theft 2 (RCW 9A.56.040)
6 Theft of Rental, Leased, ~~((or))~~ Lease-
7 purchased, or Loaned Property
8 (valued at ~~((two))~~ seven hundred
9 fifty dollars or more but less than
10 ~~((one))~~ five thousand ~~((five~~
11 ~~hundred))~~ dollars) (RCW
12 9A.56.096(5)(b))
13 Transaction of insurance business
14 beyond the scope of licensure
15 (RCW 48.17.063)
16 Unlawful Fish and Shellfish Catch
17 Accounting (RCW
18 77.15.630(3)(b))
19 Unlawful Issuance of Checks or Drafts
20 (RCW 9A.56.060)
21 Unlawful Possession of Fictitious
22 Identification (RCW 9A.56.320)
23 Unlawful Possession of Instruments of
24 Financial Fraud (RCW 9A.56.320)
25 Unlawful Possession of Payment
26 Instruments (RCW 9A.56.320)
27 Unlawful Possession of a Personal
28 Identification Device (RCW
29 9A.56.320)
30 Unlawful Production of Payment
31 Instruments (RCW 9A.56.320)
32 Unlawful Releasing, Planting,
33 Possessing, or Placing Deleterious
34 Exotic Wildlife (RCW
35 77.15.250(2)(b))
36 Unlawful Trafficking in Food Stamps
37 (RCW 9.91.142)

1 Unlawful Use of Food Stamps (RCW
2 9.91.144)
3 Unlawful Use of Net to Take Fish 1
4 (RCW 77.15.580(3)(b))
5 Unlawful Use of Prohibited Aquatic
6 Animal Species (RCW
7 77.15.253(3))
8 Vehicle Prowl 1 (RCW 9A.52.095)
9 Violating Commercial Fishing Area or
10 Time 1 (RCW 77.15.550(3)(b))

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