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HOUSE BILL 2133

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State of Washington                      60th Legislature                      2007 Regular Session

By Representatives Bailey, O'Brien, Haler, Ericks, McDonald, Hinkle, Chandler, Anderson, Kretz, Warnick, Ormsby and Newhouse

Read first time 02/09/2007. Referred to Committee on Public Safety & Emergency Preparedness.

1            AN ACT Relating to threshold property values for the crimes of  
2 malicious mischief; amending RCW 9A.48.070, 9A.48.080, and 9A.48.090;  
3 and prescribing penalties.

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

5            **Sec. 1.** RCW 9A.48.070 and 1983 1st ex.s. c 4 s 1 are each amended  
6 to read as follows:

7            (1) A person is guilty of malicious mischief in the first degree if  
8 he or she knowingly and maliciously:

9            (a) Causes physical damage to the property of another in an amount  
10 exceeding (~~one~~) two thousand five hundred dollars;

11            (b) Causes an interruption or impairment of service rendered to the  
12 public by physically damaging or tampering with an emergency vehicle or  
13 property of the state, a political subdivision thereof, or a public  
14 utility or mode of public transportation, power, or communication; or

15            (c) Causes an impairment of the safety, efficiency, or operation of  
16 an aircraft by physically damaging or tampering with the aircraft or  
17 aircraft equipment, fuel, lubricant, or parts.

18            (2) Malicious mischief in the first degree is a class B felony.

1       **Sec. 2.** RCW 9A.48.080 and 1994 c 261 s 17 are each amended to read  
2 as follows:

3       (1) A person is guilty of malicious mischief in the second degree  
4 if he or she knowingly and maliciously:

5       (a) Causes physical damage to the property of another in an amount  
6 exceeding (~~two~~) five hundred (~~fifty~~) dollars; or

7       (b) Creates a substantial risk of interruption or impairment of  
8 service rendered to the public, by physically damaging or tampering  
9 with an emergency vehicle or property of the state, a political  
10 subdivision thereof, or a public utility or mode of public  
11 transportation, power, or communication.

12       (2) Malicious mischief in the second degree is a class C felony.

13       **Sec. 3.** RCW 9A.48.090 and 2003 c 53 s 71 are each amended to read  
14 as follows:

15       (1) A person is guilty of malicious mischief in the third degree if  
16 he or she:

17       (a) Knowingly and maliciously causes physical damage to the  
18 property of another, under circumstances not amounting to malicious  
19 mischief in the first or second degree; or

20       (b) Writes, paints, or draws any inscription, figure, or mark of  
21 any type on any public or private building or other structure or any  
22 real or personal property owned by any other person unless the person  
23 has obtained the express permission of the owner or operator of the  
24 property, under circumstances not amounting to malicious mischief in  
25 the first or second degree.

26       (2)(a) Malicious mischief in the third degree under subsection  
27 (1)(a) of this section is a gross misdemeanor if the damage to the  
28 property is in an amount exceeding (~~fifty~~) one hundred dollars.

29       (b) Malicious mischief in the third degree under subsection (1)(a)  
30 of this section is a misdemeanor if the damage to the property is  
31 (~~fifty~~) one hundred dollars or less.

32       (c) Malicious mischief in the third degree under subsection (1)(b)  
33 of this section is a gross misdemeanor.

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