
SENATE BILL 5836

State of Washington

64th Legislature

2015 Regular Session

By Senators Darneille and Hasegawa; by request of Department of Corrections

Read first time 02/05/15. Referred to Committee on Law & Justice.

1 AN ACT Relating to changing the seriousness level for certain
2 drug offenses; amending RCW 9.94A.518; creating a new section;
3 providing an effective date; and declaring an emergency.

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

5 **Sec. 1.** RCW 9.94A.518 and 2003 c 53 s 57 are each amended to
6 read as follows:

7 TABLE 4

8 DRUG OFFENSES

9 INCLUDED WITHIN EACH

10 SERIOUSNESS LEVEL

- 11 III Any felony offense under chapter
- 12 69.50 RCW with a deadly weapon
- 13 special verdict under RCW
- 14 ((9.94A.602)) 9.94A.825
- 15 Controlled Substance Homicide (RCW
- 16 69.50.415)

1 Delivery of imitation controlled
2 substance by person eighteen or
3 over to person under eighteen
4 (RCW 69.52.030(2))
5 Involving a minor in drug dealing
6 (RCW 69.50.4015)
7 Manufacture of methamphetamine
8 (RCW 69.50.401(2)(b))
9 Over 18 and deliver heroin,
10 methamphetamine, a narcotic from
11 Schedule I or II, or flunitrazepam
12 from Schedule IV to someone
13 under 18 (RCW 69.50.406)
14 Over 18 and deliver narcotic from
15 Schedule III, IV, or V or a
16 nonnarcotic, except flunitrazepam
17 or methamphetamine, from
18 Schedule I-V to someone under 18
19 and 3 years junior (RCW
20 69.50.406)
21 Possession of Ephedrine,
22 Pseudoephedrine, or Anhydrous
23 Ammonia with intent to
24 manufacture
25 methamphetamine (RCW
26 69.50.440)
27 Selling for profit (controlled or
28 counterfeit) any controlled
29 substance (RCW 69.50.410)
30 II Create, deliver, or possess a counterfeit
31 controlled substance (RCW
32 69.50.4011)
33 Deliver or possess with intent to
34 deliver methamphetamine (RCW
35 69.50.401(2)(b))

1 Delivery of a material in lieu of a
2 controlled substance (RCW
3 69.50.4012)

4 Maintaining a Dwelling or Place for
5 Controlled Substances (RCW
6 69.50.402(1)(f))

7 Manufacture, deliver, or possess with
8 intent to deliver amphetamine
9 (RCW 69.50.401(2)(b))

10 Manufacture, deliver, or possess with
11 intent to deliver narcotics from
12 Schedule I or II or flunitrazepam
13 from Schedule IV (RCW
14 69.50.401(2)(a))

15 Manufacture, deliver, or possess with
16 intent to deliver narcotics from
17 Schedule III, IV, or V or
18 nonnarcotics from Schedule I-V
19 (except marijuana, amphetamine,
20 methamphetamines, or
21 flunitrazepam) (RCW
22 69.50.401(2) (c) through (e))

23 Manufacture, distribute, or possess
24 with intent to distribute an
25 imitation controlled substance
26 (RCW 69.52.030(1))

27 I Forged Prescription (RCW 69.41.020)

28 Forged Prescription for a Controlled
29 Substance (RCW 69.50.403)

30 Manufacture, deliver, or possess with
31 intent to deliver marijuana (RCW
32 69.50.401(2)(c))

33 ~~((Possess Controlled Substance that is~~
34 ~~a Narcotic from Schedule III, IV,~~
35 ~~or V or Nonnarcotic from~~
36 ~~Schedule I-V (RCW 69.50.4013)~~

1 Possession of Controlled Substance
2 that is either heroin or narcotics
3 from Schedule I or II (RCW
4 69.50.4013))

5 Unlawful Use of Building for Drug
6 Purposes (RCW 69.53.010)

7 NEW SECTION. **Sec. 2.** Section 1 of this act applies to a person
8 sentenced on or after the effective date of this section, regardless
9 of the date of offense.

10 NEW SECTION. **Sec. 3.** This act is necessary for the immediate
11 preservation of the public peace, health, or safety, or support of
12 the state government and its existing public institutions, and takes
13 effect July 1, 2015.

--- END ---