

CERTIFICATION OF ENROLLMENT

SENATE BILL 5336

65th Legislature
2017 Regular Session

Passed by the Senate April 18, 2017
Yeas 48 Nays 0

President of the Senate

Passed by the House April 12, 2017
Yeas 97 Nays 1

Speaker of the House of Representatives

Approved

Governor of the State of Washington

CERTIFICATE

I, Hunter G. Goodman, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **SENATE BILL 5336** as passed by Senate and the House of Representatives on the dates hereon set forth.

Secretary

FILED

**Secretary of State
State of Washington**

SENATE BILL 5336

AS AMENDED BY THE HOUSE

Passed Legislature - 2017 Regular Session

State of Washington 65th Legislature 2017 Regular Session

By Senators Miloscia, Hunt, Zeiger, Kuderer, Wellman, and Fortunato;
by request of Secretary of State

Read first time 01/20/17. Referred to Committee on Law & Justice.

1 AN ACT Relating to criminalizing damaging, destroying, tampering,
2 or removing ballot return boxes or contents; amending RCW 9A.48.070,
3 9A.48.080, and 29A.84.540; and prescribing penalties.

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

5 **Sec. 1.** RCW 9A.48.070 and 2009 c 431 s 4 are each amended to
6 read as follows:

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

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

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

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

19 (d) Causes an interruption or impairment of service rendered to
20 the public by, without lawful authority, physically damaging,
21 destroying, or removing an official ballot deposit box or ballot drop

1 box or, without lawful authority, damaging, destroying, removing, or
2 tampering with the contents thereof.

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

4 **Sec. 2.** RCW 9A.48.080 and 2009 c 431 s 5 are each amended to
5 read as follows:

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

8 (a) Causes physical damage to the property of another in an
9 amount exceeding seven hundred fifty dollars; (~~or~~)

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

15 (c) Creates a substantial risk of interruption or impairment of
16 service rendered to the public by, without lawful authority,
17 physically damaging, destroying, or removing an official ballot
18 deposit box or ballot drop box or, without lawful authority,
19 damaging, destroying, removing, or tampering with the contents
20 thereof.

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

22 **Sec. 3.** RCW 29A.84.540 and 2011 c 10 s 72 are each amended to
23 read as follows:

24 Any person who, without lawful authority, removes a ballot from a
25 voting center or ballot drop location is guilty of a (~~gross~~
26 ~~misdemeanor~~) class C felony punishable to the same extent as a
27 (~~gross misdemeanor~~) class C felony that is punishable under RCW
28 9A.20.021.

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