H-2588.1

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**HOUSE BILL 2358**

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**State of Washington 68th Legislature 2024 Regular Session**

**By** Representatives Barkis, Hackney, Robertson, Hutchins, Abbarno, Low, Walsh, Orcutt, Schmidt, Volz, Klicker, Goehner, Griffey, Corry, Chambers, Couture, Connors, Maycumber, Graham, Harris, McEntire, Caldier, McClintock, Wilcox, Eslick, Jacobsen, Mosbrucker, Chandler, Schmick, Dent, Christian, Sandlin, Waters, Cheney, Stokesbary, Steele, Barnard, Chapman, Leavitt, Bronoske, and Nance

AN ACT Relating to people intentionally obstructing highways; adding a new section to chapter 46.61 RCW; creating a new section; and prescribing penalties.

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

NEW SECTION. **Sec.**  The legislature finds that people that intentionally choose to block state highways without a permit create a safety risk that may result in the loss of life. Such illegal activities have resulted in death in the past that could have been avoided. This act provides consequences for endangering people, impeding emergency vehicles, and blocking the freedom of movement of others. The legislature recognizes the right to peacefully assemble. Endangering people's lives, the traveling public, and law enforcement officers is not part of a civil society when there are plenty of legal and safe times and locations for public discourse and assemblies.

NEW SECTION. **Sec.**  A new section is added to chapter 46.61 RCW to read as follows:

(1) A person is guilty of obstructing highways if:

(a) The person, acting with three or more persons together, intentionally obstructs vehicular traffic by walking, standing, or sitting in a manner that blocks without lawful authority the ability of a vehicle to drive on a state highway.

(b) Except as provided for in (c) of this subsection, obstructing highways is a gross misdemeanor.

(c) It is a class C felony if a person is a leader or organizer of the people engaging in obstructing highways and must pay a monetary penalty of at least $5,000, which may not be reduced to an amount less than $1,000.

(2) A person is guilty of obstructing highways in disregard for public safety if:

(a)(i) A person, acting with three or more persons together, intentionally obstructs vehicular traffic on a state highway by walking, standing, or sitting without legal authority;

(ii) The person's activity creates a risk causing injury to any person or property;

(iii) The person's activity impedes an ambulance; or

(iv) The person refuses or fails to disperse when ordered to do so by a police officer or public official engaged in enforcing the law.

(b) Obstructing highways in disregard for public safety is a class C felony. A person found to have committed obstructing highways in disregard for public safety is required to pay a penalty of at least $5,000, which may not be reduced to an amount of less than $1,000. Upon a finding that a person is subject to sentencing, the court must impose a sentence of a minimum of 30 days.

(c) It is a class C felony if a person is a leader or organizer of the people engaging in obstructing highways and is subject to a monetary penalty of at least $5,000, which may not be reduced to an amount less than $1,000. Upon a finding that a person is subject to sentencing, the court shall impose a sentence of a minimum of 30 days.

(d) If a person has previously been convicted of a violation of RCW 46.61.015, disorderly conduct pursuant to RCW 9A.84.030(1)(c), failure to disperse pursuant to RCW 9A.84.020, obstructing highways, obstructing highways in disregard for public safety, organizer or leader of obstructing highways in disregard for public safety, or similar criminal behavior from other jurisdictions, a court finding a violation under this section shall impose a penalty of at least $6,125, which may not be reduced to an amount of less than $1,000. Upon a finding that a person is subject to sentencing under this section, the court shall impose a sentence of a minimum of 60 days.

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