
HOUSE BILL 2008

State of Washington 59th Legislature 2005 Regular Session

By Representatives Pearson, Kristiansen, Strow, Ahern, Kretz and
Condotta

Read first time 02/15/2005. Referred to Committee on Criminal
Justice & Corrections.

1 AN ACT Relating to ensuring compliance with state election law by
2 public election officers; amending RCW 29A.84.110 and 29A.84.120;
3 reenacting and amending RCW 9.94A.515; and prescribing penalties.

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

5 **Sec. 1.** RCW 29A.84.110 and 2003 c 111 s 2105 are each amended to
6 read as follows:

7 If the secretary of state or any county auditor or registration
8 assistant:

9 (1) Willfully neglects or refuses to perform any duty required by
10 law in connection with the registration of voters; or

11 (2) Willfully neglects or refuses to perform such duty in the
12 manner required by voter registration law; or

13 (3) Enters or causes or permits to be entered on the voter
14 registration records the name of any person in any other manner or at
15 any other time than as prescribed by voter registration law or enters
16 or causes or permits to be entered on such records the name of any
17 person not entitled to be thereon; or

18 (4) Destroys, mutilates, conceals, changes, or alters any

1 registration record in connection therewith except as authorized by
2 voter registration law,
3 he or she is guilty of a (~~gross misdemeanor punishable to the same~~
4 ~~extent as a gross misdemeanor that is~~) class C felony punishable under
5 RCW 9A.20.021.

6 **Sec. 2.** RCW 29A.84.120 and 2003 c 111 s 2106 are each amended to
7 read as follows:

8 An election officer or a person who intentionally disenfranchises
9 an eligible citizen or discriminates against a person eligible to vote
10 by denying voter registration is guilty of a (~~misdemeanor~~) class C
11 felony punishable under RCW 9A.20.021.

12 **Sec. 3.** RCW 9.94A.515 and 2004 c 176 s 2 and 2004 c 94 s 3 are
13 each reenacted and amended to read as follows:

14 TABLE 2
15 CRIMES INCLUDED WITHIN
16 EACH SERIOUSNESS LEVEL

17	XVI	Aggravated Murder 1 (RCW
18		10.95.020)
19	XV	Homicide by abuse (RCW 9A.32.055)
20		Malicious explosion 1 (RCW
21		70.74.280(1))
22		Murder 1 (RCW 9A.32.030)
23	XIV	Murder 2 (RCW 9A.32.050)
24		Trafficking 1 (RCW 9A.40.100(1))
25	XIII	Malicious explosion 2 (RCW
26		70.74.280(2))
27		Malicious placement of an explosive 1
28		(RCW 70.74.270(1))
29	XII	Assault 1 (RCW 9A.36.011)
30		Assault of a Child 1 (RCW 9A.36.120)
31		Malicious placement of an imitation
32		device 1 (RCW 70.74.272(1)(a))
33		Rape 1 (RCW 9A.44.040)
34		Rape of a Child 1 (RCW 9A.44.073)

1 Trafficking 2 (RCW 9A.40.100(2))
2 XI Manslaughter 1 (RCW 9A.32.060)
3 Rape 2 (RCW 9A.44.050)
4 Rape of a Child 2 (RCW 9A.44.076)
5 X Child Molestation 1 (RCW 9A.44.083)
6 Indecent Liberties (with forcible
7 compulsion) (RCW
8 9A.44.100(1)(a))
9 Kidnapping 1 (RCW 9A.40.020)
10 Leading Organized Crime (RCW
11 9A.82.060(1)(a))
12 Malicious explosion 3 (RCW
13 70.74.280(3))
14 Sexually Violent Predator Escape
15 (RCW 9A.76.115)
16 IX Assault of a Child 2 (RCW 9A.36.130)
17 Explosive devices prohibited (RCW
18 70.74.180)
19 Hit and Run--Death (RCW
20 46.52.020(4)(a))
21 Homicide by Watercraft, by being
22 under the influence of intoxicating
23 liquor or any drug (RCW
24 79A.60.050)
25 Inciting Criminal Profiteering (RCW
26 9A.82.060(1)(b))
27 Malicious placement of an explosive 2
28 (RCW 70.74.270(2))
29 Robbery 1 (RCW 9A.56.200)
30 Sexual Exploitation (RCW 9.68A.040)
31 Vehicular Homicide, by being under
32 the influence of intoxicating
33 liquor or any drug (RCW
34 46.61.520)
35 VIII Arson 1 (RCW 9A.48.020)

1 Homicide by Watercraft, by the
2 operation of any vessel in a
3 reckless manner (RCW
4 79A.60.050)
5 Manslaughter 2 (RCW 9A.32.070)
6 Promoting Prostitution 1 (RCW
7 9A.88.070)
8 Theft of Ammonia (RCW 69.55.010)
9 Vehicular Homicide, by the operation
10 of any vehicle in a reckless
11 manner (RCW 46.61.520)
12 VII Burglary 1 (RCW 9A.52.020)
13 Child Molestation 2 (RCW 9A.44.086)
14 Civil Disorder Training (RCW
15 9A.48.120)
16 Dealing in depictions of minor
17 engaged in sexually explicit
18 conduct (RCW 9.68A.050)
19 Drive-by Shooting (RCW 9A.36.045)
20 Homicide by Watercraft, by disregard
21 for the safety of others (RCW
22 79A.60.050)
23 Indecent Liberties (without forcible
24 compulsion) (RCW 9A.44.100(1)
25 (b) and (c))
26 Introducing Contraband 1 (RCW
27 9A.76.140)
28 Malicious placement of an explosive 3
29 (RCW 70.74.270(3))
30 Sending, bringing into state depictions
31 of minor engaged in sexually
32 explicit conduct (RCW
33 9.68A.060)
34 Unlawful Possession of a Firearm in
35 the first degree (RCW
36 9.41.040(1))

1 Use of a Machine Gun in Commission
2 of a Felony (RCW 9A.41.225)
3 Vehicular Homicide, by disregard for
4 the safety of others (RCW
5 46.61.520)
6 VI Bail Jumping with Murder 1 (RCW
7 9A.76.170(3)(a))
8 Bribery (RCW 9A.68.010)
9 Incest 1 (RCW 9A.64.020(1))
10 Intimidating a Judge (RCW
11 9A.72.160)
12 Intimidating a Juror/Witness (RCW
13 9A.72.110, 9A.72.130)
14 Malicious placement of an imitation
15 device 2 (RCW 70.74.272(1)(b))
16 Rape of a Child 3 (RCW 9A.44.079)
17 Theft of a Firearm (RCW 9A.56.300)
18 Unlawful Storage of Ammonia (RCW
19 69.55.020)
20 V Abandonment of dependent person 1
21 (RCW 9A.42.060)
22 Advancing money or property for
23 extortionate extension of credit
24 (RCW 9A.82.030)
25 Bail Jumping with class A Felony
26 (RCW 9A.76.170(3)(b))
27 Child Molestation 3 (RCW 9A.44.089)
28 Criminal Mistreatment 1 (RCW
29 9A.42.020)
30 Custodial Sexual Misconduct 1 (RCW
31 9A.44.160)
32 Domestic Violence Court Order
33 Violation (RCW 10.99.040,
34 10.99.050, 26.09.300, 26.10.220,
35 26.26.138, 26.50.110, 26.52.070,
36 or 74.34.145)
37 Extortion 1 (RCW 9A.56.120)

1 Extortionate Extension of Credit
2 (RCW 9A.82.020)
3 Extortionate Means to Collect
4 Extensions of Credit (RCW
5 9A.82.040)
6 Incest 2 (RCW 9A.64.020(2))
7 Kidnapping 2 (RCW 9A.40.030)
8 Perjury 1 (RCW 9A.72.020)
9 Persistent prison misbehavior (RCW
10 9.94.070)
11 Possession of a Stolen Firearm (RCW
12 9A.56.310)
13 Rape 3 (RCW 9A.44.060)
14 Rendering Criminal Assistance 1
15 (RCW 9A.76.070)
16 Sexual Misconduct with a Minor 1
17 (RCW 9A.44.093)
18 Sexually Violating Human Remains
19 (RCW 9A.44.105)
20 Stalking (RCW 9A.46.110)
21 Taking Motor Vehicle Without
22 Permission 1 (RCW 9A.56.070)
23 IV Arson 2 (RCW 9A.48.030)
24 Assault 2 (RCW 9A.36.021)
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)
36 Escape 1 (RCW 9A.76.110)

1 Hit and Run--Injury (RCW
2 46.52.020(4)(b))
3 Hit and Run with Vessel--Injury
4 Accident (RCW 79A.60.200(3))
5 Identity Theft 1 (RCW 9.35.020(2))
6 Indecent Exposure to Person Under
7 Age Fourteen (subsequent sex
8 offense) (RCW 9A.88.010)
9 Influencing Outcome of Sporting
10 Event (RCW 9A.82.070)
11 Malicious Harassment (RCW
12 9A.36.080)
13 Residential Burglary (RCW
14 9A.52.025)
15 Robbery 2 (RCW 9A.56.210)
16 Theft of Livestock 1 (RCW 9A.56.080)
17 Threats to Bomb (RCW 9.61.160)
18 Trafficking in Stolen Property 1 (RCW
19 9A.82.050)
20 Unlawful factoring of a credit card or
21 payment card transaction (RCW
22 9A.56.290(4)(b))
23 Unlawful transaction of health
24 coverage as a health care service
25 contractor (RCW 48.44.016(3))
26 Unlawful transaction of health
27 coverage as a health maintenance
28 organization (RCW 48.46.033(3))
29 Unlawful transaction of insurance
30 business (RCW 48.15.023(3))
31 Unlicensed practice as an insurance
32 professional (RCW 48.17.063(3))
33 Use of Proceeds of Criminal
34 Profiteering (RCW 9A.82.080 (1)
35 and (2))

1 Vehicular Assault, by being under the
2 influence of intoxicating liquor or
3 any drug, or by the operation or
4 driving of a vehicle in a reckless
5 manner (RCW 46.61.522)
6 Willful Failure to Return from
7 Furlough (RCW 72.66.060)
8 III Abandonment of dependent person 2
9 (RCW 9A.42.070)
10 Assault 3 (RCW 9A.36.031)
11 Assault of a Child 3 (RCW 9A.36.140)
12 Bail Jumping with class B or C Felony
13 (RCW 9A.76.170(3)(c))
14 Burglary 2 (RCW 9A.52.030)
15 Communication with a Minor for
16 Immoral Purposes (RCW
17 9.68A.090)
18 Criminal Gang Intimidation (RCW
19 9A.46.120)
20 Criminal Mistreatment 2 (RCW
21 9A.42.030)
22 Custodial Assault (RCW 9A.36.100)
23 Cyberstalking (subsequent conviction
24 or threat of death) (RCW
25 9.61.260(3))
26 Escape 2 (RCW 9A.76.120)
27 Extortion 2 (RCW 9A.56.130)
28 Harassment (RCW 9A.46.020)
29 Intimidating a Public Servant (RCW
30 9A.76.180)
31 Introducing Contraband 2 (RCW
32 9A.76.150)
33 Malicious Injury to Railroad Property
34 (RCW 81.60.070)
35 Patronizing a Juvenile Prostitute
36 (RCW 9.68A.100)
37 Perjury 2 (RCW 9A.72.030)

1 Possession of Incendiary Device (RCW
2 9.40.120)
3 Possession of Machine Gun or Short-
4 Barreled Shotgun or Rifle (RCW
5 9.41.190)
6 Promoting Prostitution 2 (RCW
7 9A.88.080)
8 Securities Act violation (RCW
9 21.20.400)
10 Tampering with a Witness (RCW
11 9A.72.120)
12 Telephone Harassment (subsequent
13 conviction or threat of death)
14 (RCW 9.61.230(2))
15 Theft of Livestock 2 (RCW 9A.56.083)
16 Trafficking in Stolen Property 2 (RCW
17 9A.82.055)
18 Unlawful Imprisonment (RCW
19 9A.40.040)
20 Unlawful possession of firearm in the
21 second degree (RCW 9.41.040(2))
22 Vehicular Assault, by the operation or
23 driving of a vehicle with disregard
24 for the safety of others (RCW
25 46.61.522)
26 Voter Registration Violation by
27 Election Official (RCW
28 29A.84.110)
29 Willful Failure to Return from Work
30 Release (RCW 72.65.070)
31 II Computer Trespass 1 (RCW
32 9A.52.110)
33 Counterfeiting (RCW 9.16.035(3))
34 Escape from Community Custody
35 (RCW 72.09.310)
36 Health Care False Claims (RCW
37 48.80.030)

1 Identity Theft 2 (RCW 9.35.020(3))
2 Improperly Obtaining Financial
3 Information (RCW 9.35.010)
4 Malicious Mischief 1 (RCW
5 9A.48.070)
6 Possession of Stolen Property 1 (RCW
7 9A.56.150)
8 Theft 1 (RCW 9A.56.030)
9 Theft of Rental, Leased, or Lease-
10 purchased Property (valued at one
11 thousand five hundred dollars or
12 more) (RCW 9A.56.096(5)(a))
13 Trafficking in Insurance Claims (RCW
14 48.30A.015)
15 Unlawful factoring of a credit card or
16 payment card transaction (RCW
17 9A.56.290(4)(a))
18 Unlawful Practice of Law (RCW
19 2.48.180)
20 Unlicensed Practice of a Profession or
21 Business (RCW 18.130.190(7))
22 I Attempting to Elude a Pursuing Police
23 Vehicle (RCW 46.61.024)
24 Disenfranchising or Discriminating
25 Against Voter (RCW 29A.84.120)
26 False Verification for Welfare (RCW
27 74.08.055)
28 Forgery (RCW 9A.60.020)
29 Fraudulent Creation or Revocation of a
30 Mental Health Advance Directive
31 (RCW 9A.60.060)
32 Malicious Mischief 2 (RCW
33 9A.48.080)
34 Mineral Trespass (RCW 78.44.330)
35 Possession of Stolen Property 2 (RCW
36 9A.56.160)
37 Reckless Burning 1 (RCW 9A.48.040)

1 Taking Motor Vehicle Without
2 Permission 2 (RCW 9A.56.075)
3 Theft 2 (RCW 9A.56.040)
4 Theft of Rental, Leased, or Lease-
5 purchased Property (valued at two
6 hundred fifty dollars or more but
7 less than one thousand five
8 hundred dollars) (RCW
9 9A.56.096(5)(b))
10 Transaction of insurance business
11 beyond the scope of licensure
12 (RCW 48.17.063(4))
13 Unlawful Issuance of Checks or Drafts
14 (RCW 9A.56.060)
15 Unlawful Possession of Fictitious
16 Identification (RCW 9A.56.320)
17 Unlawful Possession of Instruments of
18 Financial Fraud (RCW
19 9A.56.320)
20 Unlawful Possession of Payment
21 Instruments (RCW 9A.56.320)
22 Unlawful Possession of a Personal
23 Identification Device (RCW
24 9A.56.320)
25 Unlawful Production of Payment
26 Instruments (RCW 9A.56.320)
27 Unlawful Trafficking in Food Stamps
28 (RCW 9.91.142)
29 Unlawful Use of Food Stamps (RCW
30 9.91.144)
31 Vehicle Prowl 1 (RCW 9A.52.095)

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