

INITIATIVE 976

I, Sam Reed, Secretary of State of the State of Washington and custodian of its seal hereby certify that, according to the records on file in my office, the attached copy of Initiative Measure No. 976 to the People is a true and correct copy as it was received by this office.

1 AN ACT Relating to trading in special influence; amending RCW
2 9A.68.050; reenacting and amending RCW 9.94A.515; and prescribing
3 penalties.

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

5 **Sec. 1.** RCW 9A.68.050 and 1975 1st ex.s. c 260 s 9A.68.050 are
6 each amended to read as follows:

7 (1) A person is guilty of trading in special influence if:

8 (a) He or she offers, confers, or agrees to confer any pecuniary
9 benefit upon another person pursuant to an agreement or understanding
10 that such other person will offer or confer a benefit upon a public
11 servant or procure another to do so with intent thereby to secure or
12 attempt to secure a particular result in a particular matter; or

13 (b) He or she requests, accepts, or agrees to accept any pecuniary
14 benefit pursuant to an agreement or understanding that he will offer or
15 confer a benefit upon a public servant or procure another to do so with
16 intent thereby to secure or attempt to secure a particular result in a
17 particular matter.

18 (2) Trading in special influence is a class ((C)) A felony.

1 **Sec. 2.** RCW 9.94A.515 and 2006 c 277 s 6, 2006 c 228 s 9, 2006 c
2 191 s 2, 2006 c 139 s 2, 2006 c 128 s 3, and 2006 c 73 s 12 are each
3 reenacted and amended to read as follows:

TABLE 2
CRIMES INCLUDED WITHIN
EACH SERIOUSNESS LEVEL

4	XVI	Aggravated Murder 1 (RCW 10.95.020)
5	XV	Homicide by abuse (RCW 9A.32.055) Malicious explosion 1 (RCW 70.74.280(1)) Murder 1 (RCW 9A.32.030) <u>Trading in special influence (RCW 9A.68.050)</u>
6	XIV	Murder 2 (RCW 9A.32.050) Trafficking 1 (RCW 9A.40.100(1))
7	XIII	Malicious explosion 2 (RCW 70.74.280(2)) Malicious placement of an explosive 1 (RCW 70.74.270(1))
8	XII	Assault 1 (RCW 9A.36.011) Assault of a Child 1 (RCW 9A.36.120) Malicious placement of an imitation device 1 (RCW 70.74.272(1)(a)) Rape 1 (RCW 9A.44.040) Rape of a Child 1 (RCW 9A.44.073) Trafficking 2 (RCW 9A.40.100(2))
9	XI	Manslaughter 1 (RCW 9A.32.060) Rape 2 (RCW 9A.44.050) Rape of a Child 2 (RCW 9A.44.076)
10	X	Child Molestation 1 (RCW 9A.44.083) Indecent Liberties (with forcible compulsion) (RCW 9A.44.100(1)(a)) Kidnapping 1 (RCW 9A.40.020) Leading Organized Crime (RCW 9A.82.060(1)(a)) Malicious explosion 3 (RCW 70.74.280(3)) Sexually Violent Predator Escape (RCW 9A.76.115)
11	IX	Abandonment of Dependent Person 1 (RCW 9A.42.060) Assault of a Child 2 (RCW 9A.36.130)

Criminal Mistreatment 1 (RCW
9A.42.020)
Explosive devices prohibited (RCW
70.74.180)
Hit and Run--Death (RCW
46.52.020(4)(a))
Homicide by Watercraft, by being
under the influence of intoxicating
liquor or any drug (RCW
79A.60.050)
Inciting Criminal Profiteering (RCW
9A.82.060(1)(b))
Malicious placement of an explosive 2
(RCW 70.74.270(2))
Robbery 1 (RCW 9A.56.200)
Sexual Exploitation (RCW 9.68A.040)
Vehicular Homicide, by being under
the influence of intoxicating liquor
or any drug (RCW 46.61.520)

VIII Arson 1 (RCW 9A.48.020)
Homicide by Watercraft, by the
operation of any vessel in a
reckless manner (RCW
79A.60.050)
Manslaughter 2 (RCW 9A.32.070)
Promoting Prostitution 1 (RCW
9A.88.070)
Theft of Ammonia (RCW 69.55.010)
Vehicular Homicide, by the operation
of any vehicle in a reckless manner
(RCW 46.61.520)

VII Burglary 1 (RCW 9A.52.020)
Child Molestation 2 (RCW 9A.44.086)
Civil Disorder Training (RCW
9A.48.120)
Dealing in depictions of minor engaged
in sexually explicit conduct (RCW
9.68A.050)
Drive-by Shooting (RCW 9A.36.045)
Homicide by Watercraft, by disregard
for the safety of others (RCW
79A.60.050)
Indecent Liberties (without forcible
compulsion) (RCW 9A.44.100(1)
(b) and (c))

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Introducing Contraband 1 (RCW
9A.76.140)
Malicious placement of an explosive 3
(RCW 70.74.270(3))
Negligently Causing Death By Use of a
Signal Preemption Device (RCW
46.37.675)
Sending, bringing into state depictions
of minor engaged in sexually
explicit conduct (RCW 9.68A.060)
Unlawful Possession of a Firearm in
the first degree (RCW 9.41.040(1))
Use of a Machine Gun in Commission
of a Felony (RCW 9.41.225)
Vehicular Homicide, by disregard for
the safety of others (RCW
46.61.520)

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VI Bail Jumping with Murder 1 (RCW
9A.76.170(3)(a))
Bribery (RCW 9A.68.010)
Incest 1 (RCW 9A.64.020(1))
Intimidating a Judge (RCW 9A.72.160)
Intimidating a Juror/Witness (RCW
9A.72.110, 9A.72.130)
Malicious placement of an imitation
device 2 (RCW 70.74.272(1)(b))
Possession of Depictions of a Minor
Engaged in Sexually Explicit
Conduct (RCW 9.68A.070)
Rape of a Child 3 (RCW 9A.44.079)
Theft of a Firearm (RCW 9A.56.300)
Unlawful Storage of Ammonia (RCW
69.55.020)

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V Abandonment of Dependent Person 2
(RCW 9A.42.070)
Advancing money or property for
extortionate extension of credit
(RCW 9A.82.030)
Bail Jumping with class A Felony
(RCW 9A.76.170(3)(b))
Child Molestation 3 (RCW 9A.44.089)
Criminal Mistreatment 2 (RCW
9A.42.030)
Custodial Sexual Misconduct 1 (RCW
9A.44.160)

Domestic Violence Court Order
Violation (RCW 10.99.040,
10.99.050, 26.09.300, 26.10.220,
26.26.138, 26.50.110, 26.52.070,
or 74.34.145)

Driving While Under the Influence
(RCW 46.61.502(6))

Extortion 1 (RCW 9A.56.120)

Extortionate Extension of Credit (RCW
9A.82.020)

Extortionate Means to Collect
Extensions of Credit (RCW
9A.82.040)

Incest 2 (RCW 9A.64.020(2))

Kidnapping 2 (RCW 9A.40.030)

Perjury 1 (RCW 9A.72.020)

Persistent prison misbehavior (RCW
9.94.070)

Physical Control of a Vehicle While
Under the Influence (RCW
46.61.504(6))

Possession of a Stolen Firearm (RCW
9A.56.310)

Rape 3 (RCW 9A.44.060)

Rendering Criminal Assistance 1
(RCW 9A.76.070)

Sexual Misconduct with a Minor 1
(RCW 9A.44.093)

Sexually Violating Human Remains
(RCW 9A.44.105)

Stalking (RCW 9A.46.110)

Taking Motor Vehicle Without
Permission 1 (RCW 9A.56.070)

IV Arson 2 (RCW 9A.48.030)

Assault 2 (RCW 9A.36.021)

Assault 3 (of a Peace Officer with a
Projectile Stun Gun) (RCW
9A.36.031(1)(h))

Assault by Watercraft (RCW
79A.60.060)

Bribing a Witness/Bribe Received by
Witness (RCW 9A.72.090,
9A.72.100)

Cheating 1 (RCW 9.46.1961)

Commercial Bribery (RCW 9A.68.060)

Counterfeiting (RCW 9.16.035(4))
Endangerment with a Controlled
Substance (RCW 9A.42.100)
Escape 1 (RCW 9A.76.110)
Hit and Run--Injury (RCW
46.52.020(4)(b))
Hit and Run with Vessel--Injury
Accident (RCW 79A.60.200(3))
Identity Theft 1 (RCW 9.35.020(2))
Indecent Exposure to Person Under
Age Fourteen (subsequent sex
offense) (RCW 9A.88.010)
Influencing Outcome of Sporting Event
(RCW 9A.82.070)
Malicious Harassment (RCW
9A.36.080)
Residential Burglary (RCW
9A.52.025)
Robbery 2 (RCW 9A.56.210)
Theft of Livestock 1 (RCW 9A.56.080)
Threats to Bomb (RCW 9.61.160)
Trafficking in Stolen Property 1 (RCW
9A.82.050)
Unlawful factoring of a credit card or
payment card transaction (RCW
9A.56.290(4)(b))
Unlawful transaction of health
coverage as a health care service
contractor (RCW 48.44.016(3))
Unlawful transaction of health
coverage as a health maintenance
organization (RCW 48.46.033(3))
Unlawful transaction of insurance
business (RCW 48.15.023(3))
Unlicensed practice as an insurance
professional (RCW 48.17.063(3))
Use of Proceeds of Criminal
Profiteering (RCW 9A.82.080 (1)
and (2))
Vehicular Assault, by being under the
influence of intoxicating liquor or
any drug, or by the operation or
driving of a vehicle in a reckless
manner (RCW 46.61.522)

- Willful Failure to Return from
Furlough (RCW 72.66.060)
- III Animal Cruelty 1 (Sexual Conduct or
Contact) (RCW 16.52.205(3))
- Assault 3 (Except Assault 3 of a Peace
Officer With a Projectile Stun
Gun) (RCW 9A.36.031 except
subsection (1)(h))
- Assault of a Child 3 (RCW 9A.36.140)
- Bail Jumping with class B or C Felony
(RCW 9A.76.170(3)(c))
- Burglary 2 (RCW 9A.52.030)
- Communication with a Minor for
Immoral Purposes (RCW
9.68A.090)
- Criminal Gang Intimidation (RCW
9A.46.120)
- Custodial Assault (RCW 9A.36.100)
- Cyberstalking (subsequent conviction
or threat of death) (RCW
9.61.260(3))
- Escape 2 (RCW 9A.76.120)
- Extortion 2 (RCW 9A.56.130)
- Harassment (RCW 9A.46.020)
- Intimidating a Public Servant (RCW
9A.76.180)
- Introducing Contraband 2 (RCW
9A.76.150)
- Malicious Injury to Railroad Property
(RCW 81.60.070)
- Negligently Causing Substantial Bodily
Harm By Use of a Signal
Preemption Device (RCW
46.37.674)
- Organized Retail Theft 1 (RCW
9A.56.350(2))
- Patronizing a Juvenile Prostitute (RCW
9.68A.100)
- Perjury 2 (RCW 9A.72.030)
- Possession of Incendiary Device (RCW
9.40.120)
- Possession of Machine Gun or Short-
Barreled Shotgun or Rifle (RCW
9.41.190)

Promoting Prostitution 2 (RCW
9A.88.080)

~~((Retail))~~ Retail Theft with
Extenuating Circumstances 1
(RCW 9A.56.360(2))

Securities Act violation (RCW
21.20.400)

Tampering with a Witness (RCW
9A.72.120)

Telephone Harassment (subsequent
conviction or threat of death)
(RCW 9.61.230(2))

Theft of Livestock 2 (RCW 9A.56.083)

Theft with the Intent to Resell 1 (RCW
9A.56.340(2))

Trafficking in Stolen Property 2 (RCW
9A.82.055)

Unlawful Imprisonment (RCW
9A.40.040)

Unlawful possession of firearm in the
second degree (RCW 9.41.040(2))

Vehicular Assault, by the operation or
driving of a vehicle with disregard
for the safety of others (RCW
46.61.522)

Willful Failure to Return from Work
Release (RCW 72.65.070)

II Computer Trespass 1 (RCW
9A.52.110)

Counterfeiting (RCW 9.16.035(3))

Escape from Community Custody
(RCW 72.09.310)

Failure to Register as a Sex Offender
(second or subsequent offense)
(RCW 9A.44.130(10)(a))

Health Care False Claims (RCW
48.80.030)

Identity Theft 2 (RCW 9.35.020(3))

Improperly Obtaining Financial
Information (RCW 9.35.010)

Malicious Mischief 1 (RCW
9A.48.070)

Organized Retail Theft 2 (RCW
9A.56.350(3))

Possession of Stolen Property 1 (RCW 9A.56.150)

~~((Retail))~~ Retail Theft with Extenuating Circumstances 2 (RCW 9A.56.360(3))

Theft 1 (RCW 9A.56.030)

Theft of Rental, Leased, or Lease-purchased Property (valued at one thousand five hundred dollars or more) (RCW 9A.56.096(5)(a))

Theft with the Intent to Resell 2 (RCW 9A.56.340(3))

Trafficking in Insurance Claims (RCW 48.30A.015)

Unlawful factoring of a credit card or payment card transaction (RCW 9A.56.290(4)(a))

Unlawful Practice of Law (RCW 2.48.180)

Unlicensed Practice of a Profession or Business (RCW 18.130.190(7))

Voyeurism (RCW 9A.44.115)

I Attempting to Elude a Pursuing Police Vehicle (RCW 46.61.024)

False Verification for Welfare (RCW 74.08.055)

Forgery (RCW 9A.60.020)

Fraudulent Creation or Revocation of a Mental Health Advance Directive (RCW 9A.60.060)

Malicious Mischief 2 (RCW 9A.48.080)

Mineral Trespass (RCW 78.44.330)

Possession of Stolen Property 2 (RCW 9A.56.160)

Reckless Burning 1 (RCW 9A.48.040)

Taking Motor Vehicle Without Permission 2 (RCW 9A.56.075)

Theft 2 (RCW 9A.56.040)

Theft of Rental, Leased, or Lease-purchased Property (valued at two hundred fifty dollars or more but less than one thousand five hundred dollars) (RCW 9A.56.096(5)(b))

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Transaction of insurance business
beyond the scope of licensure
(RCW 48.17.063(4))
Unlawful Issuance of Checks or Drafts
(RCW 9A.56.060)
Unlawful Possession of Fictitious
Identification (RCW 9A.56.320)
Unlawful Possession of Instruments of
Financial Fraud (RCW 9A.56.320)
Unlawful Possession of Payment
Instruments (RCW 9A.56.320)
Unlawful Possession of a Personal
Identification Device (RCW
9A.56.320)
Unlawful Production of Payment
Instruments (RCW 9A.56.320)
Unlawful Trafficking in Food Stamps
(RCW 9.91.142)
Unlawful Use of Food Stamps (RCW
9.91.144)
Vehicle Prowl 1 (RCW 9A.52.095)

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