
HOUSE BILL 2231

State of Washington

66th Legislature

2020 Regular Session

By Representatives Pellicciotti, Hudgins, Appleton, Davis, Gregerson, Santos, Frame, Pollet, Fitzgibbon, and Thai

Prefiled 12/11/19.

1 AN ACT Relating to bail jumping; amending RCW 9A.76.170;
2 reenacting and amending RCW 9.94A.515; and prescribing penalties.

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

4 **Sec. 1.** RCW 9A.76.170 and 2001 c 264 s 3 are each amended to
5 read as follows:

6 (1) Any person having been released by court order or admitted to
7 bail (~~(with knowledge)~~) who has received written notice of the
8 requirement of a subsequent personal appearance before any court of
9 this state, or of the requirement to report to a correctional
10 facility for service of sentence, and who fails to appear or who
11 fails to surrender for service of sentence as required is guilty of
12 bail jumping.

13 (2) It is an affirmative defense to a prosecution under this
14 section that uncontrollable circumstances prevented the person from
15 appearing or surrendering, and that the person did not contribute to
16 the creation of such circumstances in reckless disregard of the
17 requirement to appear or surrender, and that the person appeared or
18 surrendered as soon as such circumstances ceased to exist.

19 (3) Bail jumping is:

1 (a) A (~~class A felony if the person was held for, charged with,~~
2 ~~or convicted of murder in the first degree~~) gross misdemeanor if the
3 person was held for, charged with, or convicted of a felony; or

4 (b) (~~A class B felony if the person was held for, charged with,~~
5 ~~or convicted of a class A felony other than murder in the first~~
6 ~~degree;~~

7 ~~(c) A class C felony if the person was held for, charged with, or~~
8 ~~convicted of a class B or class C felony;~~

9 ~~(d))~~ A misdemeanor if the person was held for, charged with, or
10 convicted of a gross misdemeanor or misdemeanor.

11 **Sec. 2.** RCW 9.94A.515 and 2019 c 271 s 7, 2019 c 243 s 5, 2019 c
12 64 s 3, and 2019 c 46 s 5009 are each reenacted and amended to read
13 as follows:

14 TABLE 2

15 CRIMES INCLUDED WITHIN EACH

16 SERIOUSNESS LEVEL

17 XVI	Aggravated Murder 1 (RCW 10.95.020)
18 XV	Homicide by abuse (RCW 9A.32.055)
19	Malicious explosion 1 (RCW
20	70.74.280(1))
21	Murder 1 (RCW 9A.32.030)
22 XIV	Murder 2 (RCW 9A.32.050)
23	Trafficking 1 (RCW 9A.40.100(1))
24 XIII	Malicious explosion 2 (RCW
25	70.74.280(2))
26	Malicious placement of an explosive 1
27	(RCW 70.74.270(1))
28 XII	Assault 1 (RCW 9A.36.011)
29	Assault of a Child 1 (RCW 9A.36.120)
30	Malicious placement of an imitation
31	device 1 (RCW 70.74.272(1)(a))
32	Promoting Commercial Sexual Abuse of
33	a Minor (RCW 9.68A.101)
34	Rape 1 (RCW 9A.44.040)
35	Rape of a Child 1 (RCW 9A.44.073)

1 Trafficking 2 (RCW 9A.40.100(3))
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 Vehicular Homicide, by being under the
6 influence of intoxicating liquor or
7 any drug (RCW 46.61.520)
8 Vehicular Homicide, by the operation of
9 any vehicle in a reckless manner
10 (RCW 46.61.520)
11 X Child Molestation 1 (RCW 9A.44.083)
12 Criminal Mistreatment 1 (RCW
13 9A.42.020)
14 Indecent Liberties (with forcible
15 compulsion) (RCW
16 9A.44.100(1)(a))
17 Kidnapping 1 (RCW 9A.40.020)
18 Leading Organized Crime (RCW
19 9A.82.060(1)(a))
20 Malicious explosion 3 (RCW
21 70.74.280(3))
22 Sexually Violent Predator Escape (RCW
23 9A.76.115)
24 IX Abandonment of Dependent Person 1
25 (RCW 9A.42.060)
26 Assault of a Child 2 (RCW 9A.36.130)
27 Explosive devices prohibited (RCW
28 70.74.180)
29 Hit and Run—Death (RCW
30 46.52.020(4)(a))
31 Homicide by Watercraft, by being under
32 the influence of intoxicating liquor
33 or any drug (RCW 79A.60.050)
34 Inciting Criminal Profiteering (RCW
35 9A.82.060(1)(b))

1 Malicious placement of an explosive 2
2 (RCW 70.74.270(2))
3 Robbery 1 (RCW 9A.56.200)
4 Sexual Exploitation (RCW 9.68A.040)
5 VIII Arson 1 (RCW 9A.48.020)
6 Commercial Sexual Abuse of a Minor
7 (RCW 9.68A.100)
8 Homicide by Watercraft, by the
9 operation of any vessel in a reckless
10 manner (RCW 79A.60.050)
11 Manslaughter 2 (RCW 9A.32.070)
12 Promoting Prostitution 1 (RCW
13 9A.88.070)
14 Theft of Ammonia (RCW 69.55.010)
15 VII Air bag diagnostic systems (causing
16 bodily injury or death) (RCW
17 46.37.660(2)(b))
18 Air bag replacement requirements
19 (causing bodily injury or death)
20 (RCW 46.37.660(1)(b))
21 Burglary 1 (RCW 9A.52.020)
22 Child Molestation 2 (RCW 9A.44.086)
23 Civil Disorder Training (RCW
24 9A.48.120)
25 Dealing in depictions of minor engaged
26 in sexually explicit conduct 1
27 (RCW 9.68A.050(1))
28 Drive-by Shooting (RCW 9A.36.045)
29 Homicide by Watercraft, by disregard
30 for the safety of others (RCW
31 79A.60.050)
32 Indecent Liberties (without forcible
33 compulsion) (RCW 9A.44.100(1)
34 (b) and (c))

1 Introducing Contraband 1 (RCW
2 9A.76.140)
3 Malicious placement of an explosive 3
4 (RCW 70.74.270(3))
5 Manufacture or import counterfeit,
6 nonfunctional, damaged, or
7 previously deployed air bag
8 (causing bodily injury or death)
9 (RCW 46.37.650(1)(b))
10 Negligently Causing Death By Use of a
11 Signal Preemption Device (RCW
12 46.37.675)
13 Sell, install, or reinstall counterfeit,
14 nonfunctional, damaged, or
15 previously deployed airbag (RCW
16 46.37.650(2)(b))
17 Sending, bringing into state depictions
18 of minor engaged in sexually
19 explicit conduct 1 (RCW
20 9.68A.060(1))
21 Unlawful Possession of a Firearm in the
22 first degree (RCW 9.41.040(1))
23 Use of a Machine Gun or Bump-fire
24 Stock in Commission of a Felony
25 (RCW 9.41.225)
26 Vehicular Homicide, by disregard for
27 the safety of others (RCW
28 46.61.520)
29 VI ((~~Bail Jumping with Murder 1 (RCW~~
30 ~~9A.76.170(3)(a))~~)
31 Bribery (RCW 9A.68.010)
32 Incest 1 (RCW 9A.64.020(1))
33 Intimidating a Judge (RCW 9A.72.160)
34 Intimidating a Juror/Witness (RCW
35 9A.72.110, 9A.72.130)

1 Malicious placement of an imitation
2 device 2 (RCW 70.74.272(1)(b))
3 Possession of Depictions of a Minor
4 Engaged in Sexually Explicit
5 Conduct 1 (RCW 9.68A.070(1))
6 Rape of a Child 3 (RCW 9A.44.079)
7 Theft of a Firearm (RCW 9A.56.300)
8 Theft from a Vulnerable Adult 1 (RCW
9 9A.56.400(1))
10 Unlawful Storage of Ammonia (RCW
11 69.55.020)
12 V Abandonment of Dependent Person 2
13 (RCW 9A.42.070)
14 Advancing money or property for
15 extortionate extension of credit
16 (RCW 9A.82.030)
17 Air bag diagnostic systems (RCW
18 46.37.660(2)(c))
19 Air bag replacement requirements
20 (RCW 46.37.660(1)(c))
21 ~~((Bail Jumping with class A Felony
22 (RCW 9A.76.170(3)(b))))~~
23 Child Molestation 3 (RCW 9A.44.089)
24 Criminal Mistreatment 2 (RCW
25 9A.42.030)
26 Custodial Sexual Misconduct 1 (RCW
27 9A.44.160)
28 Dealing in Depictions of Minor
29 Engaged in Sexually Explicit
30 Conduct 2 (RCW 9.68A.050(2))
31 Domestic Violence Court Order
32 Violation (RCW 10.99.040,
33 10.99.050, 26.09.300, 26.10.220,
34 26.26B.050, 26.50.110, 26.52.070,
35 or 74.34.145)
36 Extortion 1 (RCW 9A.56.120)

1 Extortionate Extension of Credit (RCW
2 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 Manufacture or import counterfeit,
9 nonfunctional, damaged, or
10 previously deployed air bag (RCW
11 46.37.650(1)(c))
12 Perjury 1 (RCW 9A.72.020)
13 Persistent prison misbehavior (RCW
14 9.94.070)
15 Possession of a Stolen Firearm (RCW
16 9A.56.310)
17 Rape 3 (RCW 9A.44.060)
18 Rendering Criminal Assistance 1 (RCW
19 9A.76.070)
20 Sell, install, or reinstall counterfeit,
21 nonfunctional, damaged, or
22 previously deployed airbag (RCW
23 46.37.650(2)(c))
24 Sending, Bringing into State Depictions
25 of Minor Engaged in Sexually
26 Explicit Conduct 2 (RCW
27 9.68A.060(2))
28 Sexual Misconduct with a Minor 1
29 (RCW 9A.44.093)
30 Sexually Violating Human Remains
31 (RCW 9A.44.105)
32 Stalking (RCW 9A.46.110)
33 Taking Motor Vehicle Without
34 Permission 1 (RCW 9A.56.070)
35 IV Arson 2 (RCW 9A.48.030)
36 Assault 2 (RCW 9A.36.021)

1 Assault 3 (of a Peace Officer with a
2 Projectile Stun Gun) (RCW
3 9A.36.031(1)(h))
4 Assault 4 (third domestic violence
5 offense) (RCW 9A.36.041(3))
6 Assault by Watercraft (RCW
7 79A.60.060)
8 Bribing a Witness/Bribe Received by
9 Witness (RCW 9A.72.090,
10 9A.72.100)
11 Cheating 1 (RCW 9.46.1961)
12 Commercial Bribery (RCW 9A.68.060)
13 Counterfeiting (RCW 9.16.035(4))
14 Driving While Under the Influence
15 (RCW 46.61.502(6))
16 Endangerment with a Controlled
17 Substance (RCW 9A.42.100)
18 Escape 1 (RCW 9A.76.110)
19 Hate Crime (RCW 9A.36.080)
20 Hit and Run—Injury (RCW
21 46.52.020(4)(b))
22 Hit and Run with Vessel—Injury
23 Accident (RCW 79A.60.200(3))
24 Identity Theft 1 (RCW 9.35.020(2))
25 Indecent Exposure to Person Under Age
26 Fourteen (subsequent sex offense)
27 (RCW 9A.88.010)
28 Influencing Outcome of Sporting Event
29 (RCW 9A.82.070)
30 Physical Control of a Vehicle While
31 Under the Influence (RCW
32 46.61.504(6))
33 Possession of Depictions of a Minor
34 Engaged in Sexually Explicit
35 Conduct 2 (RCW 9.68A.070(2))

1 Residential Burglary (RCW 9A.52.025)
2 Robbery 2 (RCW 9A.56.210)
3 Theft of Livestock 1 (RCW 9A.56.080)
4 Threats to Bomb (RCW 9.61.160)
5 Trafficking in Stolen Property 1 (RCW
6 9A.82.050)
7 Unlawful factoring of a credit card or
8 payment card transaction (RCW
9 9A.56.290(4)(b))
10 Unlawful transaction of health coverage
11 as a health care service contractor
12 (RCW 48.44.016(3))
13 Unlawful transaction of health coverage
14 as a health maintenance
15 organization (RCW 48.46.033(3))
16 Unlawful transaction of insurance
17 business (RCW 48.15.023(3))
18 Unlicensed practice as an insurance
19 professional (RCW 48.17.063(2))
20 Use of Proceeds of Criminal
21 Profiteering (RCW 9A.82.080 (1)
22 and (2))
23 Vehicle Prowling 2 (third or subsequent
24 offense) (RCW 9A.52.100(3))
25 Vehicular Assault, by being under the
26 influence of intoxicating liquor or
27 any drug, or by the operation or
28 driving of a vehicle in a reckless
29 manner (RCW 46.61.522)
30 Viewing of Depictions of a Minor
31 Engaged in Sexually Explicit
32 Conduct 1 (RCW 9.68A.075(1))
33 Willful Failure to Return from Furlough
34 (RCW 72.66.060)
35 III Animal Cruelty 1 (Sexual Conduct or
36 Contact) (RCW 16.52.205(3))

1 Assault 3 (Except Assault 3 of a Peace
2 Officer With a Projectile Stun Gun)
3 (RCW 9A.36.031 except subsection
4 (1)(h))
5 Assault of a Child 3 (RCW 9A.36.140)
6 ((~~Bail Jumping with class B or C Felony~~
7 ~~(RCW 9A.76.170(3)(e))))~~)
8 Burglary 2 (RCW 9A.52.030)
9 Communication with a Minor for
10 Immoral Purposes (RCW
11 9.68A.090)
12 Criminal Gang Intimidation (RCW
13 9A.46.120)
14 Custodial Assault (RCW 9A.36.100)
15 Cyberstalking (subsequent conviction or
16 threat of death) (RCW 9.61.260(3))
17 Escape 2 (RCW 9A.76.120)
18 Extortion 2 (RCW 9A.56.130)
19 Harassment (RCW 9A.46.020)
20 Intimidating a Public Servant (RCW
21 9A.76.180)
22 Introducing Contraband 2 (RCW
23 9A.76.150)
24 Malicious Injury to Railroad Property
25 (RCW 81.60.070)
26 Manufacture of Untraceable Firearm
27 with Intent to Sell (RCW 9.41.190)
28 Manufacture or Assembly of an
29 Undetectable Firearm or
30 Untraceable Firearm (RCW
31 9.41.325)
32 Mortgage Fraud (RCW 19.144.080)
33 Negligently Causing Substantial Bodily
34 Harm By Use of a Signal
35 Preemption Device (RCW
36 46.37.674)

1 Organized Retail Theft 1 (RCW
2 9A.56.350(2))
3 Perjury 2 (RCW 9A.72.030)
4 Possession of Incendiary Device (RCW
5 9.40.120)
6 Possession of Machine Gun, Bump-Fire
7 Stock, Undetectable Firearm, or
8 Short-Barreled Shotgun or Rifle
9 (RCW 9.41.190)
10 Promoting Prostitution 2 (RCW
11 9A.88.080)
12 Retail Theft with Special Circumstances
13 1 (RCW 9A.56.360(2))
14 Securities Act violation (RCW
15 21.20.400)
16 Tampering with a Witness (RCW
17 9A.72.120)
18 Telephone Harassment (subsequent
19 conviction or threat of death) (RCW
20 9.61.230(2))
21 Theft of Livestock 2 (RCW 9A.56.083)
22 Theft with the Intent to Resell 1 (RCW
23 9A.56.340(2))
24 Trafficking in Stolen Property 2 (RCW
25 9A.82.055)
26 Unlawful Hunting of Big Game 1 (RCW
27 77.15.410(3)(b))
28 Unlawful Imprisonment (RCW
29 9A.40.040)
30 Unlawful Misbranding of Fish or
31 Shellfish 1 (RCW 77.140.060(3))
32 Unlawful possession of firearm in the
33 second degree (RCW 9.41.040(2))
34 Unlawful Taking of Endangered Fish or
35 Wildlife 1 (RCW 77.15.120(3)(b))

1 Unlawful Trafficking in Fish, Shellfish,
2 or Wildlife 1 (RCW
3 77.15.260(3)(b))
4 Unlawful Use of a Nondesignated
5 Vessel (RCW 77.15.530(4))
6 Vehicular Assault, by the operation or
7 driving of a vehicle with disregard
8 for the safety of others (RCW
9 46.61.522)
10 Willful Failure to Return from Work
11 Release (RCW 72.65.070)
12 II Commercial Fishing Without a License
13 1 (RCW 77.15.500(3)(b))
14 Computer Trespass 1 (RCW 9A.90.040)
15 Counterfeiting (RCW 9.16.035(3))
16 Electronic Data Service Interference
17 (RCW 9A.90.060)
18 Electronic Data Tampering 1 (RCW
19 9A.90.080)
20 Electronic Data Theft (RCW 9A.90.100)
21 Engaging in Fish Dealing Activity
22 Unlicensed 1 (RCW 77.15.620(3))
23 Escape from Community Custody
24 (RCW 72.09.310)
25 Failure to Register as a Sex Offender
26 (second or subsequent offense)
27 (RCW 9A.44.130 prior to June 10,
28 2010, and RCW 9A.44.132)
29 Health Care False Claims (RCW
30 48.80.030)
31 Identity Theft 2 (RCW 9.35.020(3))
32 Improperly Obtaining Financial
33 Information (RCW 9.35.010)
34 Malicious Mischief 1 (RCW 9A.48.070)
35 Organized Retail Theft 2 (RCW
36 9A.56.350(3))

1 Possession of Stolen Property 1 (RCW
2 9A.56.150)
3 Possession of a Stolen Vehicle (RCW
4 9A.56.068)
5 Retail Theft with Special Circumstances
6 2 (RCW 9A.56.360(3))
7 Scrap Processing, Recycling, or
8 Supplying Without a License
9 (second or subsequent offense)
10 (RCW 19.290.100)
11 Theft 1 (RCW 9A.56.030)
12 Theft of a Motor Vehicle (RCW
13 9A.56.065)
14 Theft of Rental, Leased, Lease-
15 purchased, or Loaned Property
16 (valued at five thousand dollars or
17 more) (RCW 9A.56.096(5)(a))
18 Theft with the Intent to Resell 2 (RCW
19 9A.56.340(3))
20 Trafficking in Insurance Claims (RCW
21 48.30A.015)
22 Unlawful factoring of a credit card or
23 payment card transaction (RCW
24 9A.56.290(4)(a))
25 Unlawful Participation of Non-Indians
26 in Indian Fishery (RCW
27 77.15.570(2))
28 Unlawful Practice of Law (RCW
29 2.48.180)
30 Unlawful Purchase or Use of a License
31 (RCW 77.15.650(3)(b))
32 Unlawful Trafficking in Fish, Shellfish,
33 or Wildlife 2 (RCW
34 77.15.260(3)(a))
35 Unlicensed Practice of a Profession or
36 Business (RCW 18.130.190(7))

1 Voyeurism 1 (RCW 9A.44.115)
2 I Attempting to Elude a Pursuing Police
3 Vehicle (RCW 46.61.024)
4 False Verification for Welfare (RCW
5 74.08.055)
6 Forgery (RCW 9A.60.020)
7 Fraudulent Creation or Revocation of a
8 Mental Health Advance Directive
9 (RCW 9A.60.060)
10 Malicious Mischief 2 (RCW 9A.48.080)
11 Mineral Trespass (RCW 78.44.330)
12 Possession of Stolen Property 2 (RCW
13 9A.56.160)
14 Reckless Burning 1 (RCW 9A.48.040)
15 Spotlighting Big Game 1 (RCW
16 77.15.450(3)(b))
17 Suspension of Department Privileges 1
18 (RCW 77.15.670(3)(b))
19 Taking Motor Vehicle Without
20 Permission 2 (RCW 9A.56.075)
21 Theft 2 (RCW 9A.56.040)
22 Theft from a Vulnerable Adult 2 (RCW
23 9A.56.400(2))
24 Theft of Rental, Leased, Lease-
25 purchased, or Loaned Property
26 (valued at seven hundred fifty
27 dollars or more but less than five
28 thousand dollars) (RCW
29 9A.56.096(5)(b))
30 Transaction of insurance business
31 beyond the scope of licensure
32 (RCW 48.17.063)
33 Unlawful Fish and Shellfish Catch
34 Accounting (RCW 77.15.630(3)(b))
35 Unlawful Issuance of Checks or Drafts
36 (RCW 9A.56.060)

1 Unlawful Possession of Fictitious
2 Identification (RCW 9A.56.320)
3 Unlawful Possession of Instruments of
4 Financial Fraud (RCW 9A.56.320)
5 Unlawful Possession of Payment
6 Instruments (RCW 9A.56.320)
7 Unlawful Possession of a Personal
8 Identification Device (RCW
9 9A.56.320)
10 Unlawful Production of Payment
11 Instruments (RCW 9A.56.320)
12 Unlawful Releasing, Planting,
13 Possessing, or Placing Deleterious
14 Exotic Wildlife (RCW
15 77.15.250(2)(b))
16 Unlawful Trafficking in Food Stamps
17 (RCW 9.91.142)
18 Unlawful Use of Food Stamps (RCW
19 9.91.144)
20 Unlawful Use of Net to Take Fish 1
21 (RCW 77.15.580(3)(b))
22 Unlawful Use of Prohibited Aquatic
23 Animal Species (RCW
24 77.15.253(3))
25 Vehicle Prowl 1 (RCW 9A.52.095)
26 Violating Commercial Fishing Area or
27 Time 1 (RCW 77.15.550(3)(b))

--- **END** ---