

HOUSE BILL ANALYSIS

HB 1902

Title: An act relating to offenses involving the taking of a motor vehicle.

Brief Description: Increasing penalties for offenses involving the taking of a motor vehicle.

Sponsors: Representatives Cody, Carrell, Conway, Sheahan, Kenney, Costa, Lantz, Lambert, Sherstad, Thompson and Blalock.

HOUSE COMMITTEE ON LAW & JUSTICE

Staff: Bill Perry (786-7123).

Background: Theft involves taking the property of another with the intent to deprive the owner of that property. Degrees of theft generally vary with the value of the property stolen.

First-degree theft involves theft of property worth more than \$1,500, including any motor vehicle worth more than that amount. First-degree theft is a class B felony. Second-degree theft generally involves theft of property worth more than \$250 (but not more than \$1,500). Theft of any motor vehicle worth less than \$1,500, however, is second-degree theft. Second-degree theft is a class C felony. First-degree theft is a level II offense under the Sentencing Reform Act (SRA), which means the presumptive sentence range for a first-time offender is zero to 90 days in jail. Second-degree theft is a level I offense, which means that the presumptive sentence for a first-time offender is zero to 60 days.

Taking a motor vehicle without permission, sometimes referred to as joy riding, or riding in a vehicle knowing it was taken without permission, is also a crime. To prove this crime it is not necessary to show that the defendant intended to deprive the owner of the vehicle, and the value of the vehicle is immaterial. Taking a motor vehicle without permission is a class C felony ranked at level I under the SRA.

Summary of Bill: The new crime of theft of a motor vehicle is created as a class B, level II felony. The crime applies to the theft of a motor vehicle of any value. The second-degree theft statute is amended to remove references to theft of a motor vehicle.

The crime of taking a motor vehicle without permission is raised from level I to level II under the SRA.

Fiscal Note: Not requested.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Office of Program Research