

HOUSE BILL ANALYSIS
HB 2383

Title: An act relating to possession of stolen checks or drafts.

Brief Description: Concerning the crime of possessing stolen property in the second degree.

Sponsors: Representatives Dunn, Carlson, Pennington, Sheahan, Mulliken, Gardner and Dunshee.

HOUSE COMMITTEE ON CRIMINAL JUSTICE AND CORRECTIONS

Hearing Date: January 20, 1998.

Prepared By: Yvonne Walker, Research Analyst (786-7841).

Background: “Possession” of stolen credit cards or access devices issued in the names of two or more persons creates a presumption that the possessor had knowledge that the items were stolen. The possession of these stolen credit cards or access devices is theft in the third degree and is a gross misdemeanor.

“Theft” of checks or drafts is theft in the third degree and is a gross misdemeanor.

Summary: The “possession” of stolen checks or drafts issued in the accounts of two or more people creates a presumption that the possessor knows that they are stolen. The possession of stolen checks or drafts is theft in the second degree, a level 1, class C felony.

The penalty for the “theft” of checks or drafts is also increased from a gross misdemeanor to a level 1, class C felony.

Rules Authority: No.

Fiscal Note: No fiscal note required.

Effective Date: This bill contains an emergency clause and takes effect immediately.