

# SENATE BILL REPORT

## EHB 1085

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As Reported By Senate Committee On:  
Judiciary, February 25, 2000

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

**Brief Description:** Penalizing possession of stolen checks.

**Sponsors:** Representatives Dunn, Conway, Lambert and Esser.

**Brief History:**

**Committee Activity:** Judiciary: 2/24/2000, 2/25/2000 [DPA].

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### SENATE COMMITTEE ON JUDICIARY

**Majority Report:** Do pass as amended.

Signed by Senators Heavey, Chair; Kline, Vice Chair; Costa, Goings, Hargrove, Haugen, Johnson, Long, McCaslin and Roach.

**Staff:** Aldo Melchiori (786-7439)

**Background:** Possession of stolen access devices issued in the names of two or more persons creates a presumption that the possessor had knowledge that the items were stolen. Possession or theft of stolen access devices are both class C felonies ranked at level I on the sentencing grid.

**Summary of Amended Bill:** A person is guilty of possessing stolen property in the second degree, a class C felony ranked at level I on the sentencing grid, if he or she is not a financial institution and possesses a stolen check or draft. Possession of stolen checks with different account numbers creates a presumption that the possessor had knowledge that the items were stolen.

Theft of a check or draft is theft in the second degree, a class C felony ranked at level I on the sentencing grid.

**Amended Bill Compared to Original Bill:** No substantive changes were made.

**Appropriation:** None.

**Fiscal Note:** Available.

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

**Testimony For:** This has become a serious crime because of the numbers of victims. Banks and individual victims suffer serious harm when criminals traffic in stolen checks.

**Testimony Against:** None.

**Testified:** Jan Gee, Washington Retail Association, Washington Food Industry (pro).