
**Public Safety & Emergency Preparedness
Committee**

HB 1507

Brief Description: Concerning crimes against pharmacies.

Sponsors: Representatives Ladenburg, Klippert, Hurst, Ross, Hope, Armstrong, Kirby, Warnick, Johnson and Kelley.

Brief Summary of Bill

- Modifies the offenses of Burglary in the first degree, Theft in the first degree, and Robbery in the first degree to include when the offense was committed against a pharmacy.

Hearing Date: 2/2/11

Staff: Alexa Silver (786-7190).

Background:

A person is guilty of Burglary in the first degree if he or she enters or remains unlawfully in a building with intent to commit a crime and either the defendant or another participant in the crime is armed with a deadly weapon or assaults a person. Burglary in the first degree is a class A felony with a seriousness level of VII.

Robbery is unlawfully taking personal property from another person or in another person's presence against his or her will by use or threatened use of immediate force, violence, or fear of injury to a person or property. A person is guilty of Robbery in the first degree if:

- during the robbery or immediate flight from a robbery, the person is armed with a deadly weapon, displays an apparent firearm or deadly weapon, or inflicts bodily injury; or
- the person commits robbery within and against a financial institution.

Robbery in the first degree is a class A felony with a seriousness level of IX.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Theft is wrongfully obtaining or exerting unauthorized control over another's property or services with intent to deprive the person of the property or services. A person is guilty of Theft in the first degree if he or she commits theft of:

- property or services exceeding a value of \$5,000;
- property of any value taken from another person; or
- an on-duty search and rescue dog.

Theft in the first degree is a class B felony with a seriousness level of II.

The definition of "most serious offense" includes all class A felonies, as well as Robbery in the second degree and any felony with a deadly weapon verdict. A person who has been convicted of three most serious offenses is a persistent offender and may be sentenced to life in prison without the possibility of release.

Summary of Bill:

A person is guilty of Burglary in the first degree if he or she enters or remains unlawfully in a pharmacy with intent to commit a crime.

A person is guilty of Robbery in the first degree if he or she commits robbery of a pharmacy.

A person is guilty of Theft in the first degree if the property is a schedule I, II, III, IV, or V drug taken from a pharmacy.

Appropriation: None.

Fiscal Note: Requested on January 26, 2011.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.