

# FINAL BILL REPORT

## SHB 2354

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### C 105 L 12

Synopsis as Enacted

**Brief Description:** Adding trafficking in stolen property in the first and second degrees to the six-year statute of limitations provisions.

**Sponsors:** House Committee on Public Safety & Emergency Preparedness (originally sponsored by Representatives Orwall, Asay, Hurst, Upthegrove, Armstrong, Ladenburg and Kenney).

**House Committee on Public Safety & Emergency Preparedness**  
**House Committee on General Government Appropriations & Oversight**  
**Senate Committee on Judiciary**

#### **Background:**

Statutes of limitations are legislative declarations of the period after the commission or discovery of an offense within which actions may be brought on certain claims, or during which certain crimes may be prosecuted. Once a statute of limitations has expired, there is in place an absolute bar to prosecution.

Statutes of limitations vary according to the crime. In general, simple misdemeanors must be prosecuted within one year, gross misdemeanors must be prosecuted within two years, and felony offenses must be prosecuted within three years of the commission of the crime. However, the limitation period may be varied by statute, and there is no limitation on the time within which a prosecution must commence for the crimes of Murder, Homicide by Abuse, Vehicular Homicide, or for the crimes of Vehicular Assault, Hit and Run injury-accident, or Arson, if death results.

If no period of limitation is statutorily declared for a felony offense, no prosecution may be commenced more than three years after its commission.

A person is guilty of Trafficking in Stolen Property in the first degree if he or she knowingly initiates, organizes, plans, finances, directs, manages, or supervises the theft of property for sale to others or knowingly traffics in stolen property. Trafficking in Stolen Property in the first degree is a seriousness level IV, class B felony offense.

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*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.*

Trafficking in Stolen Property in the second degree occurs when a person recklessly traffics in stolen property. Trafficking in Stolen Property in the second degree is a seriousness level III, class C felony offense.

There is no statutorily declared statute of limitations for the crime of Trafficking in Stolen Property. Accordingly, a prosecution for this offense must be commenced within three years of its commission.

**Summary:**

The statute of limitations is extended from three to six years for Trafficking in Stolen Property (in the first and second degree) where the stolen property is a motor vehicle or a major component part of a motor vehicle. A prosecution may be commenced up to six years after commission of the offense or after discovery of the offense, whichever is later.

**Votes on Final Passage:**

House	97	0
Senate	47	0

**Effective:** June 7, 2012