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## Public Safety Committee

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### SSB 5633

**Brief Description:** Changing the definition of theft.

**Sponsors:** Senate Committee on Law & Justice (originally sponsored by Senators Palumbo, Rossi, Angel, Pedersen, O'Ban, Wilson, Zeiger and Padden).

<p style="text-align: center;"><b>Brief Summary of Substitute Bill</b></p> <ul style="list-style-type: none"><li>• Amends the definition of "theft" for purposes of theft-related offenses to include concealing the property of another intending to deprive the other person of its use or benefit.</li></ul>
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**Hearing Date:** 2/15/18

**Staff:** Omeara Harrington (786-7136).

**Background:**

Theft.

For purposes of the chapter in the criminal code relating to crimes of Theft and related offenses, "theft" includes any of the following conduct:

- wrongfully obtaining or exerting unauthorized control over the property or services of another, or the value thereof, with intent to deprive the other person of the property or services;
- by color or aid of deception, obtaining control over the property or services of another, or the value thereof, with intent to deprive the other person of the property or services; or
- appropriating lost or misdelivered property or services of another, or the value thereof, with intent to deprive the other person of the property or services.

Generally, the punishment for Theft offenses is in accordance with the value of the property or services at issue. Theft in the first degree, a class B felony offense, occurs when a person commits Theft of property or services valued in excess of \$5,000. Theft in the second degree, a class C felony offense, occurs when a person commits theft of property or services valued in

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excess of \$750, but not exceeding \$5,000. Theft in the third degree, a gross misdemeanor offense, occurs when a person commits Theft of property or services valued at \$750 or less.

The statutory definition of "theft" is used to establish a number of additional crimes. Examples of other crimes that rely on the statutory definition of theft include, but are not limited to: Theft of a Motor Vehicle, Theft of a Firearm, Possessing Stolen Property, Theft with Intent to Resell, and Organized Retail Theft.

Attempt.

A person may be found guilty of the separate crime of Attempt if, with intent to commit a specific crime, he or she does any act which is a substantial step toward the commission of that crime. An attempt to commit a crime is generally classified at one level lower than a completed offense.

**Summary of Bill:**

In addition to the existing definition of theft, theft also includes concealing property of another intending that the concealment will deprive the other person permanently of its use or benefit.

**Appropriation:** None.

**Fiscal Note:** Requested on February 12, 2018.

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