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**SUBSTITUTE SENATE BILL 5633**

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**State of Washington**

**65th Legislature**

**2017 Regular Session**

**By** Senate Law & Justice (originally sponsored by Senators Palumbo, Rossi, Angel, Pedersen, O'Ban, Wilson, Zeiger, and Padden)

READ FIRST TIME 02/17/17.

1 AN ACT Relating to changing the definition of theft; and amending  
2 RCW 9A.56.020.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 **Sec. 1.** RCW 9A.56.020 and 2004 c 122 s 1 are each amended to  
5 read as follows:

6 (1) "Theft" means:

7 (a) To wrongfully obtain or exert unauthorized control over the  
8 property or services of another or the value thereof, with intent to  
9 deprive him or her of such property or services; or

10 (b) By color or aid of deception to obtain control over the  
11 property or services of another or the value thereof, with intent to  
12 deprive him or her of such property or services; or

13 (c) To appropriate lost or misdelivered property or services of  
14 another, or the value thereof, with intent to deprive him or her of  
15 such property or services; or

16 (d) To conceal property of another intending that the concealment  
17 will deprive the other person permanently of its use or benefit.

18 (2) In any prosecution for theft, it shall be a sufficient  
19 defense that:

1           (a) The property or service was appropriated openly and avowedly  
2 under a claim of title made in good faith, even though the claim be  
3 untenable; or

4           (b) The property was merchandise pallets that were received by a  
5 pallet recycler or repairer in the ordinary course of its business.

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