
SENATE BILL 6502

State of Washington

66th Legislature

2020 Regular Session

By Senators Fortunato and Zeiger

Read first time 01/20/20. Referred to Committee on Law & Justice.

1 AN ACT Relating to persistent property offenders; and adding a
2 new section to chapter 9.94A RCW.

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

4 NEW SECTION. **Sec. 1.** A new section is added to chapter 9.94A
5 RCW under the subchapter heading "prosecutorial standards" to read as
6 follows:

7 (1) A prosecuting attorney of a county with a population of two
8 million or more, or of a city with a population of seven hundred
9 thousand or more, must charge a persistent property offender arrested
10 in that county or city with a property offense.

11 (2) For purposes of this section, the following definitions
12 apply:

13 (a) "Property offense" means the following offenses:

14 (i) Forgery;

15 (ii) Malicious Mischief 1;

16 (iii) Malicious Mischief 2;

17 (iv) Malicious Mischief 3;

18 (v) Organized Retail Theft 1;

19 (vi) Organized Retail Theft 2;

20 (vii) Possession of Stolen Property 1 (other than Firearm or
21 Motor Vehicle);

1 (viii) Possession of Stolen Property 2 (other than Firearm or
2 Motor Vehicle);
3 (ix) Possession of Stolen Property 3;
4 (x) Retail Theft with Special Circumstances 1;
5 (xi) Retail Theft with Special Circumstances 2;
6 (xii) Retail Theft with Special Circumstances 3;
7 (xiii) Shopping Cart Theft;
8 (xiv) Taking Motor Vehicle without Permission 1;
9 (xv) Taking Motor Vehicle without Permission 2;
10 (xvi) Theft 1;
11 (xvii) Theft 2;
12 (xviii) Theft 3;
13 (xix) Theft with the Intent to Resell 1;
14 (xx) Theft with the Intent to Resell 2;
15 (xxi) Trafficking in Stolen Property 1;
16 (xxii) Trafficking in Stolen Property 2;
17 (xxiii) Unlawful Trafficking in Food Stamps;
18 (xxiv) Vehicle Prowling 1; and
19 (xxv) Vehicle Prowling 2.
20 (b) "Persistent property offender" is an offender who:
21 (i) Has been arrested in a county with a population of two
22 million or more, or a city with a population of seven hundred
23 thousand or more, for any property offense listed under (a) of this
24 subsection; and
25 (ii) Has, prior to the commission of the current offense under
26 (b)(i) of this subsection, been convicted as an offender on at least
27 one separate occasion, whether in this state or for similar offenses
28 in other states, of an offense that under the laws of this state
29 would be considered a property offense under (a) of this subsection;
30 provided that of the one or more previous convictions, at least one
31 conviction must have occurred prior to the current offense.

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