

RCW 9A.56.040 Theft in the second degree. (1) Except as provided in RCW 9A.56.400, a person is guilty of theft in the second degree if he or she commits theft of:

(a) Property or services which exceed(s) seven hundred fifty dollars in value but does not exceed five thousand dollars in value, other than a firearm as defined in RCW 9.41.010 or a motor vehicle;

(b) A public record, writing, or instrument kept, filed, or deposited according to law with or in the keeping of any public office or public servant;

(c) Commercial metal property, nonferrous metal property, or private metal property, as those terms are defined in *RCW 19.290.010, and the costs of the damage to the owner's property exceed seven hundred fifty dollars but does not exceed five thousand dollars in value; or

(d) An access device.

(2) Theft in the second degree is a class C felony. [2017 c 266 s 11; 2013 c 322 s 3; 2012 c 233 s 3; 2009 c 431 s 8; 2007 c 199 s 4; 1995 c 129 s 12 (Initiative Measure No. 159); 1994 sp.s. c 7 s 433; 1987 c 140 s 2; 1982 1st ex.s. c 47 s 15; 1975 1st ex.s. c 260 s 9A.56.040.]

***Reviser's note:** RCW 19.290.010 was amended by 2024 c 301 s 3, deleting the definition of "private metal property," effective April 1, 2025.

Finding—Intent—2017 c 266: See note following RCW 9A.42.020.

Applicability—2009 c 431: See note following RCW 4.24.230.

Findings—Intent—Short title—2007 c 199: See notes following RCW 9A.56.065.

Findings and intent—Short title—Severability—Captions not law—1995 c 129: See notes following RCW 9.94A.510.

Finding—Intent—Severability—1994 sp.s. c 7: See notes following RCW 43.70.540.

Effective date—1994 sp.s. c 7 ss 401-410, 413-416, 418-437, and 439-460: See note following RCW 9.41.010.

Severability—1982 1st ex.s. c 47: See note following RCW 9.41.190.

Civil action for shoplifting by adults, minors: RCW 4.24.230.

Property crime database, liability: RCW 4.24.340.