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**Public Safety & Emergency Preparedness  
Committee**

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**HB 2354**

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

**Sponsors:** Representatives Orwall, Asay, Hurst, Upthegrove, Armstrong, Ladenburg and Kenney.

**Brief Summary of Bill**

- Extends the statutes of limitations from three to six years for the crimes of Trafficking in Stolen Property in the first or second degree.

**Hearing Date:** 1/24/12

**Staff:** Yvonne Walker (786-7841).

**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.

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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.*

*Default Periods of Limitation:* 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 Stolen Property in the first degree is a seriousness level IV, class B felony offense.

Trafficking in stolen property in the second degree occurs when a person recklessly traffics in stolen property. Trafficking 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 of Bill:**

The statutes of limitations is extended from three to six years for Trafficking in Stolen Property. A prosecution may be commenced up to six years after commission of the offense or after discovery of the offense, whichever is later.

**Appropriation:** None.

**Fiscal Note:** Requested on January 17, 2012.

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