
HOUSE BILL 2077

State of Washington 63rd Legislature 2013 2nd Special Session

By Representatives Orcutt, Hurst, Klippert, Blake, Warnick, Haler, Hayes, Pike, and Holy

Read first time 06/17/13. Referred to Committee on Public Safety.

1 AN ACT Relating to retail theft; amending RCW 9A.56.360; and
2 prescribing penalties.

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

4 **Sec. 1.** RCW 9A.56.360 and 2006 c 277 s 3 are each amended to read
5 as follows:

6 (1) A person commits retail theft with extenuating circumstances if
7 he or she commits theft of property from a mercantile establishment
8 with one of the following extenuating circumstances:

9 (a) To facilitate the theft, the person leaves the mercantile
10 establishment through a designated emergency exit;

11 (b) The person was, at the time of the theft, in possession of an
12 item, article, implement, or device designed to overcome security
13 systems including, but not limited to, lined bags or tag removers; or

14 (c) The person committed within a one hundred eighty-day period
15 either (i) theft at three or more separate and distinct mercantile
16 establishments ((within a one hundred eighty day period)) or (ii) theft
17 on three or more separate and distinct occasions from one or more
18 mercantile establishments.

1 (2) A person is guilty of retail theft with extenuating
2 circumstances in the first degree if the theft involved constitutes
3 theft in the first degree. Retail theft with extenuating circumstances
4 in the first degree is a class B felony.

5 (3) A person is guilty of retail theft with extenuating
6 circumstances in the second degree if the theft involved constitutes
7 theft in the second degree. Retail theft with extenuating
8 circumstances in the second degree is a class C felony.

9 (4) A person is guilty of retail theft with extenuating
10 circumstances in the third degree if the theft involved constitutes
11 theft in the third degree. Retail theft with extenuating circumstances
12 in the third degree is a class C felony.

--- END ---