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**SENATE BILL 6502**

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**State of Washington 66th Legislature 2020 Regular Session**

**By** Senators Fortunato and Zeiger

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

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

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

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

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

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

(i) Forgery;

(ii) Malicious Mischief 1;

(iii) Malicious Mischief 2;

(iv) Malicious Mischief 3;

(v) Organized Retail Theft 1;

(vi) Organized Retail Theft 2;

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

(viii) Possession of Stolen Property 2 (other than Firearm or Motor Vehicle);

(ix) Possession of Stolen Property 3;

(x) Retail Theft with Special Circumstances 1;

(xi) Retail Theft with Special Circumstances 2;

(xii) Retail Theft with Special Circumstances 3;

(xiii) Shopping Cart Theft;

(xiv) Taking Motor Vehicle without Permission 1;

(xv) Taking Motor Vehicle without Permission 2;

(xvi) Theft 1;

(xvii) Theft 2;

(xviii) Theft 3;

(xix) Theft with the Intent to Resell 1;

(xx) Theft with the Intent to Resell 2;

(xxi) Trafficking in Stolen Property 1;

(xxii) Trafficking in Stolen Property 2;

(xxiii) Unlawful Trafficking in Food Stamps;

(xxiv) Vehicle Prowling 1; and

(xxv) Vehicle Prowling 2.

(b) "Persistent property offender" is an offender who:

(i) Has been arrested in a county with a population of two million or more, or a city with a population of seven hundred thousand or more, for any property offense listed under (a) of this subsection; and

(ii) Has, prior to the commission of the current offense under (b)(i) of this subsection, been convicted as an offender on at least one separate occasion, whether in this state or for similar offenses in other states, of an offense that under the laws of this state would be considered a property offense under (a) of this subsection; provided that of the one or more previous convictions, at least one conviction must have occurred prior to the current offense.

**--- END ---**