

HOUSE BILL REPORT

HB 2383

As Passed House:
February 10, 1998

Title: An act relating to possession of stolen checks or drafts.

Brief Description: Concerning the crime of possessing stolen property in the second degree.

Sponsors: Representatives Dunn, Carlson, Pennington, Sheahan, Mulliken, Gardner and Dunshee.

Brief History:

Committee Activity:

Criminal Justice & Corrections: 1/23/98 [DP].

Floor Activity:

Passed House: 2/10/98, 96-0.

HOUSE COMMITTEE ON CRIMINAL JUSTICE & CORRECTIONS

Majority Report: Do pass. Signed by 11 members: Representatives Ballasiotes, Chairman; Benson, Vice Chairman; Koster, Vice Chairman; Quall, Ranking Minority Member; O'Brien, Assistant Ranking Minority Member; Cairnes; Dickerson; Hickel; McCune; Radcliff and Sullivan.

Staff: Yvonne Walker (786-7841).

Background: "Possession" of stolen credit cards or access devices issued in the names of two or more persons creates a presumption that the possessor had knowledge that the items were stolen. The possession of these stolen credit cards or access devices is theft in the third degree and is a gross misdemeanor.

"Theft" of checks or drafts is theft in the third degree and is a gross misdemeanor.

Summary of Bill: The "possession" of stolen checks or drafts issued in the accounts of two or more people creates a presumption that the possessor knows that they are stolen. The possession of stolen checks or drafts is theft in the second degree, a level 1, class C felony.

The penalty for the "theft" of checks or drafts is also increased from a gross misdemeanor to a level 1, class C felony.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: The bill contains an emergency clause and takes effect immediately.

Testimony For: The possession and theft of credit cards and checks takes place on a routine basis and usually with a very small penalty. By increasing the penalties to a level 1, class C felony offenders will be more hesitant in committing this particular crime especially when it will now count as a felony on his or her record.

Testimony Against: None.

Testified: Representative Jim Dunn, prime sponsor.