

# HOUSE BILL REPORT

## HB 1085

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### As Reported By House Committee On:

Criminal Justice & Corrections

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

**Brief Description:** Penalizing possession of stolen checks.

**Sponsors:** Representatives Dunn, Conway, Lambert and Esser.

### Brief History:

#### Committee Activity:

Criminal Justice & Corrections: 1/26/99, 2/3/99 [DP].

#### Brief Summary of Bill

- Makes the penalty for "possession" of stolen checks or drafts a class C felony.
- Makes the penalty for "theft" of stolen checks or drafts a class C felony.

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### HOUSE COMMITTEE ON CRIMINAL JUSTICE & CORRECTIONS

**Majority Report:** Do pass. Signed by 7 members: Representatives Ballasiotes, Republican Co-Chair; O'Brien, Democratic Co-Chair; Cairnes, Republican Vice Chair; Lovick, Democratic Vice Chair; Chandler; Kagi and Koster.

**Minority Report:** Without recommendation. Signed by 1 member: Representative Constantine.

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

### Background:

"Possession" of stolen 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 stolen access devices is theft in the second degree and is a class C felony.

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

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**Summary of Bill:**

"Possession" of stolen 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 stolen access devices is theft in the second degree and is a class C felony.

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

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**Appropriation:** None.

**Fiscal Note:** Available.

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

**Testimony For:** Over the last two years, the state has had an increase in the crimes of stolen and forged checks and drafts. As a result, the check forgery squad from the Seattle Police Department had to be doubled in size in order to handle the amount of check and counterfeit cases they see on a regular basis. The current stolen property statute only covers credit cards and access devices, however, the possession of stolen checks and drafts should also be included under this same statute.

**Testimony Against:** None.

**Testified:** (In support) Eric Sano, Seattle Police Department.