

SB 6009 - S AMD 490

By Senator Padden

1           On page 2, beginning on line 1, after "(a)" strike all material  
2 through "theft" on line 12, and insert "(i) The present felony  
3 conviction for which the person is being sentenced is residential  
4 burglary or burglary in the second degree; (ii) the person has an  
5 offender score of nine points or higher; and (iii) at least nine of the  
6 points in the person's offender score result from any combination of  
7 the offenses of residential burglary or burglary in the second degree;  
8 or

9           (b)(i) The present felony conviction for which the person is being  
10 sentenced is theft in the first degree or theft in the second degree;  
11 (ii) the person has an offender score of nine points or higher; and  
12 (iii) at least nine of the points in the person's offender score result  
13 from any combination of the offenses of theft in the first degree or  
14 theft in the second degree"

EFFECT:       (1) Removes unlawful issuance of checks or drafts,  
organized retail theft, theft with special circumstances, mail theft,  
and theft of a firearm from the crimes considered in applying the  
habitual property offender enhancement.

(2) If a person is being sentenced for a burglary offense, the  
requisite nine points must all result from prior offenses of  
residential burglary or burglary in the second degree in order for that  
person to be a habitual property offender. If the person is being  
sentenced for a theft offense, the requisite nine points must all  
result from prior offenses of theft in the first or second degree in  
order for that person to be a habitual property offender.

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