**5633-S AMH PS H4915.1 - NOT FOR FLOOR USE**

**SSB 5633** - H COMM AMD

By Committee on Public Safety

Strike everything after the enacting clause and insert the following:

"**Sec.**  RCW 9A.56.020 and 2004 c 122 s 1 are each amended to read as follows:

(1) "Theft" means:

(a) To wrongfully obtain or exert unauthorized control over the property or services of another or the value thereof, with intent to deprive him or her of such property or services; or

(b) By color or aid of deception to obtain control over the property or services of another or the value thereof, with intent to deprive him or her of such property or services; or

(c) To appropriate lost or misdelivered property or services of another, or the value thereof, with intent to deprive him or her of such property or services; or

(d) To conceal property of another intending that the concealment will deprive the other person of its use or benefit.

(2) In any prosecution for theft, it shall be a sufficient defense that:

(a) The property or service was appropriated openly and avowedly under a claim of title made in good faith, even though the claim be untenable; or

(b) The property was merchandise pallets that were received by a pallet recycler or repairer in the ordinary course of its business."

Correct the title.

EFFECT: Provides that in order to meet the definition of theft through concealment of property, the concealment must be with the intent to deprive, rather than "permanently" deprive, another of the property's use or benefit.