

SSB 5633 - H COMM AMD

By Committee on Public Safety

1 Strike everything after the enacting clause and insert the
2 following:

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

5 (1) "Theft" means:

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

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

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

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

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

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

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

24 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.

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