
Community Safety Committee

HB 1276

Brief Description: Concerning organized retail theft.

Sponsors: Representatives Leavitt, Griffey, Marshall, Couture, Bronoske, Nance, Caldier, Timmons and Pollet.

Brief Summary of Bill

- Creates a 12-month sentencing enhancement for Organized Retail Theft when the property stolen or possessed has a value of \$20,000 or more, and a 24-month sentencing enhancement for the offense when the property stolen or possessed has a value of \$50,000 or more.

Hearing Date: 2/10/25

Staff: Lena Langer (786-7192).

Background:

Crimes are classified as misdemeanors, gross misdemeanors, or class A, B, or C felonies. While there are exceptions, the classification of a crime generally determines the maximum authorized term of confinement and fine for an offense. For example, class B felonies are typically punishable by up to 10 years imprisonment, up to a \$20,000 fine, or both such imprisonment and fine, while class C felonies are typically punishable by up to 5 years imprisonment, up to a \$10,000 fine, or both such imprisonment and fine.

For most felony offenses, the Sentencing Reform Act determines a specific sentence range within the statutory maximum according to a sentencing grid. The sentencing grid provides a standard range of months for the sentence, based on both the severity, or "seriousness level," of the offense and the convicted person's "offender score," which is based on the person's criminal

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history. While the grid provides the base sentence, additional sentencing policies can increase or decrease a sentence. This includes, for example, statutory sentencing enhancements, which add a specified amount of confinement time to a person's base sentence.

Organized Retail Theft.

A person is guilty of Organized Retail Theft if the person:

- commits theft of property with a value of at least \$750 from a mercantile establishment with an accomplice;
- possesses stolen property with a value of at least \$750 from a mercantile establishment with an accomplice;
- commits theft of property with a cumulative value of at least \$750 from one or more mercantile establishments within a period of 180 days; or
- commits theft of property with a cumulative value of at least \$750 from a mercantile establishment with no less than six accomplices, and makes or sends at least one electronic communication seeking participation in the theft in the course of planning or commission of the theft.

A person is guilty of Organized Retail Theft in the first degree if the property stolen or possessed has a value of \$5,000 or more. Organized Retail Theft in the first degree is a class B felony ranked at seriousness level III.

A person is guilty of Organized Retail Theft in the second degree if the property stolen or possessed has a value of at least \$750, but less than \$5,000. Organized Retail Theft in the second degree is a class C felony ranked at seriousness level II.

Summary of Bill:

The following sentencing enhancements are created for Organized Retail Theft:

- a 12-month sentencing enhancement for the offense when the property stolen or possessed has a value of \$20,000 or more; and
- a 24-month sentencing enhancement for the offense when the property stolen or possessed has a value of \$50,000 or more.

Appropriation: None.

Fiscal Note: Requested on February 5, 2025.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.