

CHAPTER 59

[House Bill No. 92]

MERCHANDISE—UNLAWFUL TAKING—DAMAGES—  
PENALTIES—COSTS

AN ACT Relating to special rights of action; and adding a new section to chapter 4.24 RCW.

Be it enacted by the Legislature of the State of Washington:

NEW SECTION. Section 1. There is added to chapter 4.24 RCW a new section to read as follows:

(1) An adult or emancipated minor who takes possession of any goods, wares or merchandise displayed or offered for sale by any wholesale or retail store or other mercantile establishment without the consent of the owner or seller, and with the intention of converting such goods, wares or merchandise to his own use without having paid the purchase price thereof shall be liable in addition to actual damages, for a penalty to the owner or seller in the amount of the retail value thereof not to exceed one thousand dollars, plus costs of preparing and presenting the action of not less than one hundred dollars nor more than two hundred dollars.

(2) The parent or legal guardian having the custody of an unemancipated minor who takes possession of any goods, wares or merchandise displayed or offered for sale by any wholesale or retail store or other mercantile establishment without the consent of the owner or seller and with the intention of converting such goods, wares or merchandise to his own use without having paid the purchase price thereof, shall be liable as a penalty to the owner or seller for the retail value of such goods, wares or merchandise not to exceed five hundred dollars plus costs of preparing and presenting the action of not less than one hundred dollars nor more than two hundred dollars: PROVIDED, That for the purposes of this subsection, liability shall not be imposed upon any governmental entity or private agency which has been assigned responsibility for the minor child pursuant to court order or action of the department of social and health services.

(3) Claims, but not judgments, arising under this section may not be assigned.

(4) A conviction for violation of RCW 9.78.010 or 9.54.010 shall not be a condition precedent to maintenance of a civil action authorized by this section.

Passed the House May 13, 1975.

Passed the Senate May 6, 1975.

Approved by the Governor May 22, 1975.

Filed in Office of Secretary of State May 22, 1975.

CHAPTER 60

[House Bill No. 112]

SUPERINTENDENT OF PUBLIC INSTRUCTION—  
ACCUMULATED SICK LEAVE FUND

AN ACT Relating to abolishing the accumulated sick leave fund established in the office of the superintendent of public instruction; providing for the disposition of the moneys therein; repealing section 28A.03.050, chapter 223, Laws of 1969 ex. sess., section 103, chapter 176, Laws of 1969 ex. sess. and RCW 28A.03.050; and declaring an emergency and making an effective date.

Be it enacted by the Legislature of the State of Washington:

NEW SECTION. Section 1. Section 28A.03.050, chapter 223, Laws of 1969 ex. sess., section 103, chapter 176, Laws of 1969 ex. sess. and RCW 28A.03.050 are each repealed.

NEW SECTION. Sec. 2. All moneys remaining in the accumulated sick leave fund in the office of superintendent of public instruction on the thirtieth day of June, 1975, and all moneys thereafter paid into such fund, shall be and are hereby transferred to the general fund of the state.

NEW SECTION. Sec. 3. This act is necessary for the immediate preservation of the public peace, health and safety, the support of the state government and its existing public institutions, and shall take effect June 30, 1975.

Passed the House March 14, 1975.

Passed the Senate May 7, 1975.

Approved by the Governor May 22, 1975.

Filed in Office of Secretary of State May 22, 1975.

## CHAPTER 61

[House Bill No. 141]

### THEFT OF LIVESTOCK—CRIMINAL PENALTIES—EXEMPLARY DAMAGES

AN ACT Relating to livestock; amending section 353, chapter 249, Laws of 1909 as amended by section 1, chapter 97, Laws of 1955 and RCW 9.54.090; amending section 1, chapter 63, Laws of 1961 and RCW 9.54.115; repealing section 1, chapter 90, Laws of 1970 ex. sess. and RCW 9.08.050; providing a contingent repealer; and prescribing penalties.

Be it enacted by the Legislature of the State of Washington:

Section 1. Section 353, chapter 249, Laws of 1909 as amended by section 1, chapter 97, Laws of 1955 and RCW 9.54.090 are each amended to read as follows:

Every person who steals or unlawfully obtains, appropriates, brings into this state, buys, sells, receives, conceals, or withholds in any manner specified in RCW 9.54.010—

(1) Property of any value by taking the same from the person of another or from the body of a corpse; or

(2) Property of any value by taking the same from any building that is on fire or by taking the same after it has been removed from a building in consequence of an alarm of fire; or

(3) A record of a court or officer, or a writing, instrument, or record kept, filed, or deposited according to law with or in the keeping of any public officer or officers; or

(4) ~~((From any range or pasture, any horse, mare, gelding, foal or filly, ass or mule, one or more head of neat cattle, or any sheep; or~~

~~(5)))~~ Property of the value of more than twenty-five dollars if obtained by color or aid of any order for the payment or delivery of property or money or any check or draft, knowing that the maker or drawer of such order, check, or draft was not authorized or entitled to make or draw the same; or

~~((6)))~~ (5) Property of the value of more than seventy-five dollars, in any manner whatever; shall be guilty of grand larceny and be punished by imprisonment in the state penitentiary for not more than fifteen years.