

1 TO THE HOUSE OF REPRESENTATIVES:

2 The Committee on Judiciary to which was referred House Bill No. 563  
3 entitled “An act relating to attempted auto theft” respectfully reports that it has  
4 considered the same and recommends that the bill be amended by striking out  
5 all after the enacting clause and inserting in lieu thereof the following:

6 Sec. 1. 13 V.S.A. § 2501 is amended to read:

7 § 2501. GRAND LARCENY

8 (a) A person who steals from the actual or constructive possession of  
9 another, other than from ~~his or her~~ the person, money, goods, chattels, bank  
10 notes, bonds, promissory notes, bills of exchange or other bills, orders, or  
11 certificates, or a book of accounts for or concerning money, or goods due or to  
12 become due or to be delivered, or a deed or writing containing a conveyance of  
13 land, or any other valuable contract in force, or a receipt, release or defeasance,  
14 writ, process, or public record, shall be imprisoned not more than 10 years or  
15 fined not more than \$5,000.00, or both, if the money or other property stolen  
16 exceeds \$900.00 in value.

17 (b) Notwithstanding section 9 of this title, a person convicted of attempting  
18 to steal a motor vehicle in violation of this section shall be imprisoned not  
19 more than five years or fined not more than \$2,500.00, or both.

1 Sec. 2. 13 V.S.A. § 3705 is amended to read:

2 § 3705. UNLAWFUL TRESPASS

3 (a)(1) A person shall be imprisoned for not more than three months or fined  
4 not more than \$500.00, or both, if, without legal authority or the consent of the  
5 person in lawful possession, ~~he or she~~ the person enters or remains on any land  
6 or in any place as to which notice against trespass is given by:

7 (A) actual communication by the person in lawful possession or ~~his~~  
8 ~~or her~~ the person's agent or by a law enforcement officer acting on behalf of  
9 such person or ~~his or her~~ the person's agent;

10 (B) signs or placards so designed and situated as to give reasonable  
11 notice; or

12 (C) in the case of abandoned property:

13 (i) signs or placards, posted by the owner, the owner's agent, or a  
14 law enforcement officer, and so designed and situated as to give reasonable  
15 notice; or

16 (ii) actual communication by a law enforcement officer.

17 (2) As used in this subsection, "abandoned property" means:

18 (A) real property on which there is a vacant structure that for the  
19 previous 60 days has been continuously unoccupied by a person with the legal  
20 right to occupy it and with respect to which the municipality has by first-class

1 mail to the owner’s last known address provided the owner with notice and an  
2 opportunity to be heard; and

3 (i) property taxes have been delinquent for six months or more; or

4 (ii) one or more utility services have been disconnected; or

5 (B) a railroad car that for the previous 60 days has been unmoved and  
6 unoccupied by a person with the legal right to occupy it.

7 (b) Prosecutions for offenses under subsection (a) of this section shall be  
8 commenced within 60 days following the commission of the offense and not  
9 thereafter.

10 (c) A person who enters the vehicle of another and knows or should know  
11 that the person does not have legal authority or the consent of the person in  
12 lawful possession of the vehicle to do so shall be imprisoned not more than  
13 three months or fined not more than \$500.00, or both. For a second or  
14 subsequent offense, a person who violates this subsection shall be imprisoned  
15 not more than one year or fined not more than \$500.00, or both. Notice against  
16 trespass shall not be required under this subsection.

17 (d) A person who enters a building other than a residence, whose access is  
18 normally locked, whether or not the access is actually locked, or a residence in  
19 violation of an order of any court of competent jurisdiction in this State shall  
20 be imprisoned for not more than one year or fined not more than \$500.00, or  
21 both.



