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H.54

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Introduced by Representatives Obuchowski of Rockingham, Mrowicki of

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Putney and Partridge of Windham

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Referred to Committee on

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Date:

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Subject: Crimes; petit larceny

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Statement of purpose: This bill proposes to provide the prosecutor with the

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discretion to bring a civil violation in petit larceny cases where the amount of

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property stolen does not exceed \$900.00.

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An act relating to petit larceny

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It is hereby enacted by the General Assembly of the State of Vermont:

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Sec. 1. 4 V.S.A. § 1102 is amended to read:

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§ 1102. JUDICIAL BUREAU; JURISDICTION

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(b) The judicial bureau shall have jurisdiction of the following matters:

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(17) Violations of 13 V.S.A. § 2502a, relating to petit larceny.

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1 Sec. 2. 13 V.S.A. § 2502a is added to read:

2 § 2502a. PETIT LARCENY; CIVIL OFFENSE

3 (a) A person who violates section 2501 of this title where the money or
4 other property stolen does not exceed \$900.00 in value commits a civil offense
5 and shall be fined \$300.00.

6 (b)(1) The state may obtain a violation under this section or a conviction
7 under section 2502 of this title, but not both.

8 (2) When determining whether to prosecute the case under this section
9 or under section 2502 of this title, the state's attorney shall consider:

10 (A) The defendant's criminal history.

11 (B) The amount of money or other property stolen.

12 (C) Efficiency and the cost to the criminal justice system.

13 (D) Any other relevant aggravating or mitigating circumstances.