

1 H.53

2 Introduced by Representative Wilson of Manchester

3 Referred to Committee on

4 Date:

5 Subject: Crimes and criminal procedure; forgery and counterfeiting

6 Statement of purpose of bill as introduced: This bill proposes to eliminate
7 intent as an element of the crimes of forgery, counterfeiting, and uttering a
8 forged or counterfeited instrument.

9 An act relating to forgery and counterfeiting

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

11 Sec. 1. 13 V.S.A. § 1801 is amended to read:

12 § 1801. FORGERY AND COUNTERFEITING OF PAPERS,
13 DOCUMENTS, ETC.

14 A person who wittingly, falsely₂ and deceitfully makes, alters, forges₂ or
15 counterfeits, or wittingly, falsely₂ or deceitfully causes to be made, altered,
16 forged₂ or counterfeited, or procures, aids₂ or counsels the making, altering,
17 forging₂ or counterfeiting₂ of a writ, process, public record, or any certificate,
18 return₂ or attestation of a clerk of a court, public register, notary public, justice₂,
19 or other public officer₂, in relation to a matter wherein such certificate, return₂
20 or attestation may be received as legal proof, or a charter, deed, or any

1 evidence or muniment of title to property, will, terminal care document,
2 testament, bond, or writing obligatory, letter of attorney, policy of insurance,
3 bill of lading, bill of exchange, promissory note, or an order drawn on a person
4 or corporation, or on a state, county, or town or school district treasurer, for
5 money or other property, or an acquittance or discharge for money or other
6 property, or an acceptance of a bill of exchange, or indorsement or assignment
7 of a bill of exchange or promissory note, for the payment of money, or any
8 accountable receipt for money, goods or other property, or certificate of stock,
9 ~~with intent to injure or defraud a person,~~ shall be imprisoned not more than 10
10 years and fined not more than \$1,000.00, or both.

11 Sec. 2. 13 V.S.A. § 1802 is amended to read:

12 § 1802. UTTERING FORGED OR COUNTERFEITED INSTRUMENT

13 A person who utters and publishes as true a forged, altered, or counterfeited
14 record, deed, instrument, or other writing mentioned in section 1801 of this
15 title, knowing the same to be false, altered, forged, or counterfeited, ~~with intent~~
16 ~~to injure or defraud a person,~~ shall be imprisoned not more than 10 years and
17 fined not more than \$1,000.00, or both.

18 Sec. 3. EFFECTIVE DATE

19 This act shall take effect on July 1, 2013.