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H.381

Introduced by Representative LaLonde of South Burlington

Referred to Committee on

Date:

Subject: Crimes; grand larceny; retail theft

Statement of purpose of bill as introduced: This bill proposes to permit the aggregate value of stolen property to be used to satisfy the \$900.00 threshold that determines whether a crime is (1) grand larceny or petit larceny and (2) felony retail theft or misdemeanor retail theft.

An act relating to the aggregate value of stolen property in certain crimes

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

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

§ 2501. GRAND LARCENY

(a) A person who steals from the actual or constructive possession of another, other than from his or her person, money, goods, chattels, bank notes, bonds, promissory notes, bills of exchange or other bills, orders, or certificates, or a book of accounts for or concerning money, or goods due or to become due or to be delivered, or a deed or writing containing a conveyance of land, or any other valuable contract in force, or a receipt, release or defeasance, writ, process, or public record, shall be imprisoned not more than 10 years or fined

1 not more than \$5,000.00, or both, if the money or other property stolen exceeds
2 \$900.00 in value.

3 (b) It shall be a violation of subsection (a) of this section if:

4 (1) a person acts in concert with one or more persons on one or more
5 occasions within a period of 180 days to commit the offense of petit larceny in
6 violation of section 2502 of this title; and

7 (2) the aggregate value of the money or other property stolen exceeds
8 \$900.00.

9 Sec. 2. 13 V.S.A. § 2575 is amended to read:

10 § 2575. OFFENSE OF RETAIL THEFT

11 A person commits the offense of retail theft when the person, with intent of
12 depriving a merchant wrongfully of the lawful possession of merchandise,
13 money, or credit:

14 (1) takes and carries away or causes to be taken and carried away or aids
15 and abets the carrying away of; any merchandise from a retail mercantile
16 establishment without paying the retail value of the merchandise; or

17 * * *

1 Sec. 3. 13 V.S.A. § 2577 is amended to read:

2 § 2577. PENALTY

3 (a) A person convicted of the offense of retail theft of merchandise having
4 a retail value not in excess of \$900.00 shall be punished by a fine of not more
5 than \$500.00 or imprisonment for not more than six months, or both.

6 (b)(1) A person convicted of the offense of retail theft of merchandise
7 having a retail value in excess of \$900.00 shall be punished by a fine of not
8 more than \$1,000.00 or imprisonment for not more than 10 years, or both.

9 (2) A person shall be punished pursuant to this subsection if:

10 (A) a person acts in concert with one or more persons on one or more
11 occasions within a period of 180 days to commit the offense of retail theft in
12 violation of subdivision 2575(1) of this title; and

13 (B) the aggregate value of the merchandise taken away exceeds
14 \$900.00.

15 * * *

16 Sec. 4. EFFECTIVE DATE

17 This act shall take effect on passage.