

1 S.168

2 Introduced by Senator Westman

3 Referred to Committee on

4 Date:

5 Subject: Crimes; grand larceny; retail theft

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

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

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

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

13 § 2501. GRAND LARCENY

14 (a) A person who steals from the actual or constructive possession of
15 another, other than from his or her person, money, goods, chattels, bank notes,
16 bonds, promissory notes, bills of exchange or other bills, orders, or certificates,
17 or a book of accounts for or concerning money, or goods due or to become due
18 or to be delivered, or a deed or writing containing a conveyance of land, or any
19 other valuable contract in force, or a receipt, release or defeasance, writ,
20 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:

9 Sec. 2. 13 V.S.A. chapter 57, subchapter 4, is amended to read:

10 Subchapter 4. Shoplifting

11 * * *

12 § 2575. OFFENSE OF RETAIL THEFT

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

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

* * *

1 § 2577. PENALTY

2 (a) A person convicted of the offense of retail theft of merchandise having
3 a retail value not in excess of \$250.00 shall be punished by a fine of not more
4 than \$500.00 or imprisonment for not more than 30 days, or both.

5 (b) A person convicted of the offense of retail theft of merchandise having
6 a retail value in excess of \$250.00 and not in excess of \$900.00 shall:

7 (1) for a first offense, be punished by a fine of not more than \$500.00 or
8 imprisonment for not more than six months, or both;

9 (2) for a second offense, be punished by a fine of not more than
10 \$1,000.00 or imprisonment for not more than two years, if the second offense
11 occurs not more than two years after the first offense;

12 (3) for a third offense, be punished by a fine of not more than \$1,500.00
13 or imprisonment for not more than three years, or both, if the third offense
14 occurs not more than two years after the second offense; or

15 (4) for a fourth or subsequent offense, be punished by a fine of not more
16 than \$2,500.00 or imprisonment for not more than 10 years, or both, if the
17 fourth or subsequent offense occurs not more than two years after the
18 immediately preceding offense.

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

7 * * *

8 Sec. 3. EFFECTIVE DATE

9 This act shall take effect on passage.