

2017 -- H 5004

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2017

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A N A C T

RELATING TO CRIMINAL OFFENSES - THEFT, EMBEZZLEMENT, FALSE PRETENSES,
AND MISAPPROPRIATION

Introduced By: Representative K. Joseph Shekarchi

Date Introduced: January 05, 2017

Referred To: House Judiciary

(by request)

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 11-41-5 of the General Laws in Chapter 11-41 entitled "Theft,
2 Embezzlement, False Pretenses, and Misappropriation" is hereby amended to read as follows:

3 **11-41-5. Penalties for larceny.**

4 (a) Any person convicted of any offense under §§ 11-41-1 -- 11-41-6, except § 11-41-3,
5 if the value of the property or money stolen, received, embezzled, fraudulently appropriated,
6 converted, or obtained, received, taken, or secreted by false pretenses or otherwise with intent to
7 cheat, defraud, embezzle, or fraudulently convert exceeds one thousand five hundred dollars
8 (\$1,500), or if the property is a firearm as defined in § 11-47-5.1, regardless of its value, shall be
9 punished by imprisonment for not more than ten (10) years or by a fine of not more than five
10 thousand dollars (\$5,000), or both. If the value of the property or money does not exceed one
11 thousand five hundred dollars (\$1,500), the person shall be punished by imprisonment for not
12 more than one year, or by a fine of not more than five hundred dollars (\$500), or both. Any
13 person convicted of an offense under § 11-41-2 who shall be found to have knowingly obtained
14 the property from a person under eighteen (18) years of age, notwithstanding the value of the
15 property, shall be punished by imprisonment for not more than ten (10) years or by a fine of not
16 more than five thousand dollars (\$5,000), or both.

17 (b) Any person convicted of an offense in violation of §§ 11-41-1 -- 11-41-7, except §
18 11-41-3, which involves a victim who is a person sixty-five (65) years of age or older at the time

1 of the offense and which involves property or money stolen, received, embezzled, fraudulently
2 appropriated, converted, or obtained, received, taken, or secreted by false pretenses or otherwise
3 with intent to cheat, defraud, embezzle, or fraudulently convert, with a value in excess of five
4 hundred dollars (\$500), shall be punished by imprisonment for not less than two (2) years but not
5 more than fifteen (15) years or by a fine of not more than five thousand dollars (\$5,000), or both.
6 If the value of the property or money does not exceed five hundred dollars (\$500), the person
7 shall be punished by imprisonment for not less than one year but not more than five (5) years or
8 by a fine of not more than three thousand dollars (\$3,000), or both.

9 (c) Any person convicted of an offense in violation of §11-41-1 which involves theft of
10 property or money with a value in excess of five hundred dollars (\$500) from an unattached
11 building on the premises of a dwelling house, shall be punished by imprisonment for not more
12 than ten (10) years or by a fine of not more than five thousand dollars (\$5,000), or both.

13 SECTION 2. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

A N A C T

RELATING TO CRIMINAL OFFENSES - THEFT, EMBEZZLEMENT, FALSE PRETENSES,
AND MISAPPROPRIATION

1 This act would enhance the penalty for larceny of property or money with a value in
2 excess of five hundred dollars (\$500) when committed from an unattached building on the
3 premises of a dwelling house.

4 This act would take effect upon passage.

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