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H.579

Introduced by Representative Burditt of West Rutland

Referred to Committee on

Date:

Subject: Crimes; organized retail theft

Statement of purpose of bill as introduced: This bill proposes to create the crimes of organized retail theft, aggravated retail theft, and retail theft with the intent to resell.

An act relating to organized retail theft, aggravated retail theft, and retail theft with the intent to resell

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

Sec. 1. 13 V.S.A. § 2575a is added to read:

§ 2575a. ORGANIZED RETAIL THEFT

(a) A person commits the offense of organized retail theft if the person commits the offense of retail theft in violation of section 2575 of this title:

(1) while acting in concert with one or more persons to commit the offense; or

(2) on one or more occasions within a period of 180 days.

(b) A person who violates subsection (a) of this section shall be:

1 (1) punished by a fine of not more than \$1,000.00 or imprisonment for
2 not more than three years, or both, if the aggregate retail value of the
3 merchandise taken away is \$900.00 or less; or

4 (2) punished by a fine of not more than \$2,500.00 or imprisonment for
5 not more than 15 years, or both, if the aggregate retail value of the
6 merchandise taken away exceeds \$900.00.

7 Sec. 2. 13 V.S.A. § 2575b is added to read:

8 § 2575b. AGGRAVATED RETAIL THEFT

9 (a) A person commits the offense of aggravated retail theft if the person
10 commits the offense of retail theft in violation of section 2575 of this title
11 under any one of the following circumstances:

12 (1) To facilitate the theft, the person leaves the mercantile establishment
13 through a designated emergency exit.

14 (2) At the time of the theft, the person possessed an item or device
15 intended to overcome a security system, including a tag remover or a lined bag.

16 (b) A person who violates subsection (a) of this section shall be:

17 (1) punished by a fine of not more than \$1,000.00 or imprisonment for
18 not more than three years, or both, if the retail value of the merchandise taken
19 away is \$900.00 or less; or

1 (2) punished by a fine of not more than \$2,500.00 or imprisonment for
2 not more than 15 years, or both, if the retail value of the merchandise taken
3 away exceeds \$900.00.

4 (c) For purposes of determining the penalty under subsection (b) of this
5 section, the value of the merchandise may be aggregated if the merchandise
6 was taken away by the person on one or more occasions within a period of
7 180 days.

8 Sec. 3. 13 V.S.A. § 2575c is added to read:

9 § 2575c. RETAIL THEFT WITH INTENT TO RESELL

10 (a) A person commits the offense of retail theft with intent to resell if the
11 person commits the offense of retail theft in violation of section 2575 of this
12 title with the intent to resell the merchandise taken away to another person.

13 (b) A person who violates subsection (a) of this section shall be:

14 (1) punished by a fine of not more than \$1,000.00 or imprisonment for
15 not more than three years, or both, if the retail value of the merchandise taken
16 away is \$900.00 or less; or

17 (2) punished by a fine of not more than \$2,500.00 or imprisonment for
18 not more than 15 years, or both, if the retail value of the merchandise taken
19 away exceeds \$900.00.

20 (c) For purposes of determining the penalty under subsection (b) of this
21 section, the value of the merchandise may be aggregated if the merchandise

1 was taken away by the person on one or more occasions within a period of 180
2 days.

3 Sec. 4. EFFECTIVE DATE

4 This act shall take effect on passage.