

SB 33 INTRODUCED BY LYNCH
RESTITUTION AND SERVICE TO STORE OR COMMUNITY BY
SHOPLIFTERS

1/05	INTRODUCED		
1/05	REFERRED TO JUDICIARY		
1/13	HEARING		
1/19	ADVERSE COMMITTEE REPORT ADOPTED	42	8
1/19	RECONSIDERED ACTION IN ADOPTING ADVERSE COMMITTEE REPORT	38	12
1/19	REREFERRED TO JUDICIARY		
1/26	TABLED IN COMMITTEE		

1 (b) a fraudulent scheme or device.

2 (5) A person convicted of the offense of theft of
3 property not exceeding \$300 in value shall be fined not to
4 exceed \$500 or be imprisoned in the county jail for any term
5 not to exceed 6 months, or both. A person convicted of the
6 offense of theft of property exceeding \$300 in value or
7 theft of any commonly domesticated hooved animal shall be
8 fined not to exceed \$50,000 or be imprisoned in the state
9 prison for any term not to exceed 10 years, or both.

10 (6) (a) If the theft constitutes shoplifting, as
11 defined in 46-6-501, the court shall, if a convicted person
12 is able to pay it, order restitution, using the procedure
13 provided for in 46-18-242 through 46-18-247. The restitution
14 must be paid before the payment of any fine or imposed
15 costs.

16 (b) The court shall also order a convicted person to
17 perform a service for and chosen by the victimized
18 establishment equal in value to twice the price of the
19 stolen merchandise. The convicted person's labor must be
20 valued at the state minimum wage established in 39-3-404. If
21 the owner or manager of the establishment declines the
22 service, then the court shall order community service to be
23 performed for a government unit or nonprofit charitable
24 organization.

25 ~~(6)~~(7) Amounts involved in thefts committed pursuant

1 to a common scheme or the same transaction, whether from the
2 same person or several persons, may be aggregated in
3 determining the value of the property."

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