

SENATE FILE NO. SF0045

Property offenses.

Sponsored by: Senator(s) Goodenough

A BILL

for

1 AN ACT relating to crimes and offenses; modifying an
2 element of certain crimes by increasing the dollar amount
3 affected, as specified; and providing for an effective
4 date.

5

6 *Be It Enacted by the Legislature of the State of Wyoming:*

7

8 **Section 1.** W.S. 6-3-201(b)(i) and (iii),
9 6-3-402(c)(i) and (iii), 6-3-403(a)(i) and (iii),
10 6-3-404(a)(i), (iii), (b)(i) and (iii), 6-3-406(a)(i) and
11 (iii), 6-3-407(a)(i) and (iii), 6-3-408(a)(i), (iii),
12 (b)(i), (ii), (c)(i) and (ii), 6-3-607(b)(i) and (iii),
13 6-3-702(b)(i) and (iii), 6-3-802(b)(i) and (iii) and
14 6-3-901(c)(i) and (ii) are amended to read:

15

16 **6-3-201. Property destruction and defacement;**
17 **grading; penalties; aggregated costs or values.**

1

2 (b) Property destruction and defacement is:

3

4 (i) A misdemeanor punishable by imprisonment for
5 not more than six (6) months, a fine of not more than seven
6 hundred fifty dollars (\$750.00), or both, if the cost of
7 restoring injured property or the value of the property if
8 destroyed is less than ~~five hundred dollars (\$500.00)~~ one
9 thousand dollars (\$1,000.00);

10

11 (iii) A felony punishable by imprisonment for
12 not more than ten (10) years, a fine of not more than ten
13 thousand dollars (\$10,000.00), or both, if the cost of
14 restoring injured property or the value of the property if
15 destroyed is ~~five hundred dollars (\$500.00)~~ one thousand
16 dollars (\$1,000.00) or more.

17

18 **6-3-402. Larceny; livestock rustling; penalties.**

19

20 (c) Except as provided by subsection (e) of this
21 section, larceny is:

22

23 (i) A felony punishable by imprisonment for not
24 more than ten (10) years, a fine of not more than ten

1 thousand dollars (\$10,000.00), or both, if the value of the
2 property is ~~five hundred dollars (\$500.00)~~ one thousand
3 dollars (\$1,000.00) or more; or

4
5 (iii) A misdemeanor punishable by imprisonment
6 for not more than six (6) months, a fine of not more than
7 seven hundred fifty dollars (\$750.00), or both, if the
8 value of the property is less than ~~five hundred dollars~~
9 ~~(\$500.00)~~ one thousand dollars (\$1,000.00).

10

11 **6-3-403. Wrongful taking or disposing of property;**
12 **venue of indictment.**

13

14 (a) A person who buys, receives, conceals or disposes
15 of property which he knows, believes or has reasonable
16 cause to believe was obtained in violation of law is guilty
17 of:

18

19 (i) A felony punishable by imprisonment for not
20 more than ten (10) years, a fine of not more than ten
21 thousand dollars (\$10,000.00), or both, if the value of the
22 property is ~~five hundred dollars (\$500.00)~~ one thousand
23 dollars (\$1,000.00) or more; or

24

1 (iii) A misdemeanor punishable by imprisonment
2 for not more than six (6) months, a fine of not more than
3 seven hundred fifty dollars (\$750.00), or both, if the
4 value of the property is less than ~~five hundred dollars~~
5 ~~(\$500.00)~~ one thousand dollars (\$1,000.00).

6

7 **6-3-404. Shoplifting; altering or removing price tags**
8 **and markers; penalties.**

9

10 (a) A person who willfully conceals or takes
11 possession of property offered for sale by a wholesale or
12 retail store without the knowledge or consent of the owner
13 and with intent to convert the property to his own use
14 without paying the purchase price is guilty of:

15

16 (i) A felony punishable by imprisonment for not
17 more than ten (10) years, a fine of not more than ten
18 thousand dollars (\$10,000.00), or both, if the value of the
19 property is ~~five hundred dollars (\$500.00)~~ one thousand
20 dollars (\$1,000.00) or more; or

21

22 (iii) A misdemeanor punishable by imprisonment
23 for not more than six (6) months, a fine of not more than
24 seven hundred fifty dollars (\$750.00), or both, if the

1 value of the property is less than ~~five hundred dollars~~
2 ~~(\$500.00)~~ one thousand dollars (\$1,000.00).

3

4 (b) A person who alters, defaces, changes or removes
5 a price tag or marker on or about property offered for sale
6 by a wholesale or retail store with intent to obtain the
7 property at less than the marked or listed price is guilty
8 of:

9

10 (i) A felony punishable by imprisonment for not
11 more than ten (10) years, a fine of not more than ten
12 thousand dollars (\$10,000.00), or both, if the difference
13 between the marked or listed price and the amount actually
14 paid is ~~five hundred dollars (\$500.00)~~ one thousand dollars
15 (\$1,000.00) or more; or

16

17 (iii) A misdemeanor punishable by imprisonment
18 for not more than six (6) months, a fine of not more than
19 seven hundred fifty dollars (\$750.00), or both, if the
20 difference between the marked or listed price and the
21 amount actually paid is less than ~~five hundred dollars~~
22 ~~(\$500.00)~~ one thousand dollars (\$1,000.00).

23

1 **6-3-406. Defrauding an innkeeper; penalties;**
2 **definitions.**

3

4 (a) A person who, with intent to defraud, procures
5 food, drink or accommodations at a public establishment
6 without paying in accordance with his agreement with the
7 public establishment is guilty of:

8

9 (i) A felony punishable by imprisonment for not
10 more than ten (10) years, a fine of not more than ten
11 thousand dollars (\$10,000.00), or both, if the value of the
12 food, drink or accommodations is ~~five hundred dollars~~
13 ~~(\$500.00)~~ one thousand dollars (\$1,000.00) or more; or

14

15 (iii) A misdemeanor punishable by imprisonment
16 for not more than six (6) months, a fine of not more than
17 seven hundred fifty dollars (\$750.00), or both, if the
18 value of the food, drink or accommodations is less than
19 ~~five hundred dollars~~ ~~(\$500.00)~~ one thousand dollars
20 (\$1,000.00).

21

22 **6-3-407. Obtaining property by false pretenses;**
23 **penalties.**

24

1 (a) A person who knowingly obtains property from
2 another person by false pretenses with intent to defraud
3 the person is guilty of:

4
5 (i) A felony punishable by imprisonment for not
6 more than ten (10) years, a fine of not more than ten
7 thousand dollars (\$10,000.00), or both, if the value of the
8 property is ~~five hundred dollars (\$500.00)~~ one thousand
9 dollars (\$1,000.00) or more; or

10

11 (iii) A misdemeanor punishable by imprisonment
12 for not more than six (6) months, a fine of not more than
13 seven hundred fifty dollars (\$750.00), or both, if the
14 value of the property is less than ~~five hundred dollars~~
15 ~~(\$500.00)~~ one thousand dollars (\$1,000.00).

16

17 **6-3-408. Theft of services; penalties.**

18

19 (a) A person who, with intent to defraud, obtains
20 services which he knows are available only for
21 compensation, without paying for the services is guilty of:

22

23 (i) A felony punishable by imprisonment for not
24 more than ten (10) years, a fine of not more than ten

1 thousand dollars (\$10,000.00), or both, if the value of the
2 services is ~~five hundred dollars (\$500.00)~~ one thousand
3 dollars (\$1,000.00) or more; or

4

5 (iii) A misdemeanor punishable by imprisonment
6 for not more than six (6) months, a fine of not more than
7 seven hundred fifty dollars (\$750.00), or both, if the
8 value of the services is less than ~~five hundred dollars~~
9 ~~(\$500.00)~~ one thousand dollars (\$1,000.00).

10

11 (b) A person who tampers or otherwise interferes with
12 or connects to, by any means, whether mechanical,
13 electrical, acoustical or otherwise, any cables, wires or
14 other devices used for distribution of services for the
15 purposes of committing a violation of subsection (a) of
16 this section is guilty of:

17

18 (i) A felony punishable by imprisonment for not
19 more than ten (10) years, a fine of not more than ten
20 thousand dollars (\$10,000.00), or both, if the value of the
21 services is ~~five hundred dollars (\$500.00)~~ one thousand
22 dollars (\$1,000.00) or more; or

23

1 (ii) A misdemeanor punishable by imprisonment
2 for not more than six (6) months, a fine of not more than
3 seven hundred fifty dollars (\$750.00), or both, if the
4 value of the services is less than ~~five hundred dollars~~
5 ~~(\$500.00)~~ one thousand dollars (\$1,000.00).

6
7 (c) A person who knowingly manufactures, distributes,
8 sells, or offers for sale, rental or use any decoding or
9 descrambling device or any plan or kit for such device,
10 designed with intent to facilitate an act which constitutes
11 a violation of subsection (a) of this section is guilty of:

12
13 (i) A felony punishable by imprisonment for not
14 more than ten (10) years, a fine of not more than ten
15 thousand dollars (\$10,000.00), or both, if the value of the
16 services is ~~five hundred dollars (\$500.00)~~ one thousand
17 dollars (\$1,000.00) or more; or

18
19 (ii) A misdemeanor punishable by imprisonment
20 for not more than six (6) months, a fine of not more than
21 seven hundred fifty dollars (\$750.00), or both, if the
22 value of the services is less than ~~five hundred dollars~~
23 ~~(\$500.00)~~ one thousand dollars (\$1,000.00).

24

1 **6-3-607. Defrauding creditors; penalties.**

2

3 (b) Defrauding creditors is:

4

5 (i) A felony punishable by imprisonment for not
6 more than ten (10) years, a fine of not more than ten
7 thousand dollars (\$10,000.00), or both, if the mortgagee's
8 or secured party's interest is of a value of ~~five hundred~~
9 ~~dollars (\$500.00)~~ one thousand dollars (\$1,000.00) or more;
10 or

11

12 (iii) A misdemeanor punishable by imprisonment
13 for not more than six (6) months, a fine of not more than
14 seven hundred fifty dollars (\$750.00), or both, if the
15 mortgagee's or secured party's interest is of a value of
16 less than ~~five hundred dollars (\$500.00)~~ one thousand
17 dollars (\$1,000.00).

18

19 **6-3-702. Fraud by check; penalties.**

20

21 (b) Fraud by check is:

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23 (i) A misdemeanor punishable by imprisonment for
24 not more than six (6) months, a fine of not more than seven

1 hundred fifty dollars (\$750.00), or both, if the fraudulent
2 check was for a sum of less than ~~five hundred dollars~~
3 ~~(\$500.00)~~ one thousand dollars (\$1,000.00); or

4
5 (iii) A felony punishable by imprisonment for
6 not more than ten (10) years, a fine of not more than ten
7 thousand dollars (\$10,000.00), or both, if the fraudulent
8 check was for the sum of ~~five hundred dollars~~ ~~(\$500.00)~~ one
9 thousand dollars (\$1,000.00) or more, or if the offender is
10 convicted of fraud by check involving two (2) or more
11 checks issued within any sixty (60) day period in the state
12 of Wyoming totaling ~~five hundred dollars~~ ~~(\$500.00)~~ one
13 thousand dollars (\$1,000.00) or more in the aggregate.

14
15 **6-3-802. Unlawful use of credit card; penalties.**

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17 (b) Unlawful use of a credit card is:

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19 (i) A misdemeanor punishable by imprisonment for
20 not more than six (6) months, a fine of not more than seven
21 hundred fifty dollars (\$750.00), or both, if the value of
22 the property or services purchased or obtained is less than
23 ~~five hundred dollars~~ ~~(\$500.00)~~ one thousand dollars
24 (\$1,000.00); or

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(iii) A felony punishable by imprisonment for not more than ten (10) years, a fine of not more than ten thousand dollars (\$10,000.00), or both, if the value of the property or services purchased or obtained in violation of this section within any sixty (60) day period in the state of Wyoming totals ~~five hundred dollars (\$500.00)~~ one thousand dollars (\$1,000.00) or more in the aggregate.

6-3-901. Unauthorized use of personal identifying information; penalties; restitution.

(c) Theft of identity is:

(i) A misdemeanor punishable by imprisonment for not more than six (6) months, a fine of not more than seven hundred fifty dollars (\$750.00), or both, if no economic benefit was gained or was attempted to be gained, or if an economic benefit of less than ~~five hundred dollars (\$500.00)~~ one thousand dollars (\$1,000.00) was gained or was attempted to be gained by the defendant; or

(ii) A felony punishable by imprisonment for not more than ten (10) years, a fine of not more than ten

1 thousand dollars (\$10,000.00), or both, if an economic
2 benefit of ~~five hundred dollars (\$500.00)~~ one thousand
3 dollars (\$1,000.00) or more was gained or was attempted to
4 be gained by the defendant.

5

6 **Section 2.** This act is effective July 1, 2003.

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8

(END)