

SENATE FILE NO. SF0066

Misdemeanor property offenses-maximum amounts.

Sponsored by: Senator(s) Burns and Job

A BILL

for

1 AN ACT relating to crimes and offenses; increasing the  
 2 maximum amount for misdemeanor theft of property or  
 3 services as specified; and providing for an effective date.

4

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

6

7       **Section 1.**       W.S. 6-3-201(b) (i), 6-3-402(c) (iii),  
 8 6-3-403(a) (iii), 6-3-404(a) (iii) and (b) (iii),  
 9 6-3-406(a) (iii), 6-3-407(a) (iii), 6-3-408(a) (iii), (b) (ii)  
 10 and (c) (ii), 6-3-607(b) (iii), 6-3-702(b) (i), 6-3-802(b) (i),  
 11 6-3-901(c) (i) and 27-3-702(a) (i) are amended to read:

12

13       **6-3-201. Property destruction and defacement;**  
 14 **grading; penalties; aggregated costs or values.**

15

16       (b) Property destruction and defacement is:

17

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

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8           **6-3-402. Larceny; livestock rustling; penalties.**

9

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

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

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19           **6-3-403. Wrongful taking or disposing of property;**  
20 **venue of indictment.**

21

22           (a) A person who buys, receives, conceals or disposes  
23 of property which he knows, believes or has reasonable

1 cause to believe was obtained in violation of law is guilty  
2 of:

3

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

9

10 **6-3-404. Shoplifting; altering or removing price tags**  
11 **and markers; penalties.**

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

18

19 (iii) 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 property is less than ~~five hundred dollars~~  
23 ~~(\$500.00)~~ one thousand dollars (\$1,000.00).

24

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

6  
7           (iii) A misdemeanor punishable by imprisonment  
8 for not more than six (6) months, a fine of not more than  
9 seven hundred fifty dollars (\$750.00), or both, if the  
10 difference between the marked or listed price and the  
11 amount actually paid is less than ~~five hundred dollars~~  
12 ~~(\$500.00)~~ one thousand dollars (\$1,000.00).

13

14           **6-3-406. Defrauding an innkeeper; penalties;**  
15 **definitions.**

16

17           (a) A person who, with intent to defraud, procures  
18 food, drink or accommodations at a public establishment  
19 without paying in accordance with his agreement with the  
20 public establishment is guilty of:

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 food, drink or accommodations is less than  
2 ~~five hundred dollars (\$500.00)~~ one thousand dollars  
3 (\$1,000.00).

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5 **6-3-407. Obtaining property by false pretenses;**  
6 **penalties.**

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8 (a) A person who knowingly obtains property from  
9 another person by false pretenses with intent to defraud  
10 the person is guilty of:

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 value of the property is less than ~~five hundred dollars~~  
16 ~~(\$500.00)~~ one thousand dollars (\$1,000.00).

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18 **6-3-408. Theft of services; penalties.**

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

23

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 services is less than ~~five hundred dollars~~  
5 ~~(\$500.00)~~ one thousand dollars (\$1,000.00).

6  
7           (b) A person who tampers or otherwise interferes with  
8 or connects to, by any means, whether mechanical,  
9 electrical, acoustical or otherwise, any cables, wires or  
10 other devices used for distribution of services for the  
11 purposes of committing a violation of subsection (a) of  
12 this section is guilty of:

13  
14           (ii) A misdemeanor punishable by imprisonment  
15 for not more than six (6) months, a fine of not more than  
16 seven hundred fifty dollars (\$750.00), or both, if the  
17 value of the services is less than ~~five hundred dollars~~  
18 ~~(\$500.00)~~ one thousand dollars (\$1,000.00).

19  
20           (c) A person who knowingly manufactures, distributes,  
21 sells, or offers for sale, rental or use any decoding or  
22 descrambling device or any plan or kit for such device,  
23 designed with intent to facilitate an act which constitutes  
24 a violation of subsection (a) of this section is guilty of:

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

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

(b) Defrauding creditors is:

(iii) 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 the mortgagee's or secured party's interest is of a value of less than ~~five hundred dollars (\$500.00)~~ one thousand dollars (\$1,000.00).

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

(b) Fraud by check is:

(i) A misdemeanor punishable by imprisonment for 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

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5 **6-3-802. Unlawful use of credit card; penalties.**

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

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

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16 **6-3-901. Unauthorized use of personal identifying**  
17 **information; penalties; restitution.**

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19 (c) Theft of identity is:

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21 (i) A misdemeanor punishable by imprisonment for  
22 not more than six (6) months, a fine of not more than seven  
23 hundred fifty dollars (\$750.00), or both, if no economic  
24 benefit was gained or was attempted to be gained, or if an



1 economic benefit of less than ~~five hundred dollars~~  
2 ~~(\$500.00)~~ one thousand dollars (\$1,000.00) was gained or  
3 was attempted to be gained by the defendant; or

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5 **27-3-702. Obtaining benefits by fraud;**  
6 **disqualification of benefits; penalties.**

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8 (a) No person shall, for himself or any other person,  
9 knowingly make a false statement or misrepresentation or  
10 knowingly fail to disclose a material fact to obtain or  
11 increase benefits or other payments under this act or other  
12 state or federal law. Any person violating this section is  
13 guilty of:

14

15 (i) A misdemeanor punishable by a fine of not  
16 more than seven hundred fifty dollars (\$750.00),  
17 imprisonment for not more than ninety (90) days, or both,  
18 if the amount of benefits obtained in violation of this  
19 section is less than ~~five hundred dollars (\$500.00)~~ one  
20 thousand dollars (\$1,000.00); or

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22 **Section 2.** This act is effective July 1, 2004.

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24

(END)