

SENATE FILE NO. SF0096

Penalty for misdemeanor theft.

Sponsored by: Senator(s) Job, Hanes and Sessions and  
Representative(s) Martin, Petersen and Watt

A BILL

for

1 AN ACT relating to crimes and offenses; increasing the  
2 maximum fine that may be imposed as a result of a  
3 conviction for misdemeanor theft of property or services as  
4 specified; and providing for an effective date.

5

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

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8       **Section 1.**       W.S. 6-3-201(b)(i), 6-3-402(c)(iii),  
9 6-3-403(a)(iii), 6-3-404(a)(iii) and (b)(iii),  
10 6-3-406(a)(iii), 6-3-407(a)(iii), 6-3-408(a)(iii), (b)(ii)  
11 and (c)(ii), 6-3-607(b)(iii), 6-3-702(b)(i), 6-3-802(b)(i),  
12 6-3-901(c)(i) and 27-3-702(a)(i) are amended to read:

13

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

16

1 (b) Property destruction and defacement is:

2

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

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10 **6-3-402. Larceny; livestock rustling; penalties.**

11

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

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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)~~ one thousand dollars  
18 (\$1,000.00), or both, if the value of the property is less  
19 than one thousand dollars (\$1,000.00).

20

21 **6-3-403. Wrongful taking or disposing of property;**  
22 **venue of indictment.**

23

1           (a) A person who buys, receives, conceals or disposes  
2 of property which he knows, believes or has reasonable  
3 cause to believe was obtained in violation of law is guilty  
4 of:

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

11

12           **6-3-404. Shoplifting; altering or removing price tags**  
13 **and markers; penalties.**

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

20

21           (iii) A misdemeanor punishable by imprisonment  
22 for not more than six (6) months, a fine of not more than  
23 ~~seven hundred fifty dollars (\$750.00)~~ one thousand dollars

1 (\$1,000.00), or both, if the value of the property is less  
2 than 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 (iii) A misdemeanor punishable by imprisonment  
11 for not more than six (6) months, a fine of not more than  
12 ~~seven hundred fifty dollars (\$750.00)~~ one thousand dollars  
13 (\$1,000.00), or both, if the difference between the marked  
14 or listed price and the amount actually paid is less than  
15 one thousand dollars (\$1,000.00).

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17 **6-3-406. Defrauding an innkeeper; penalties;**  
18 **definitions.**

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

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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)~~ one thousand dollars  
4 (\$1,000.00), or both, if the value of the food, drink or  
5 accommodations is less than one thousand dollars  
6 (\$1,000.00).

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8           **6-3-407. Obtaining property by false pretenses;**  
9 **penalties.**

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11           (a) A person who knowingly obtains property from  
12 another person by false pretenses with intent to defraud  
13 the person is guilty of:

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)~~ one thousand dollars  
18 (\$1,000.00), or both, if the value of the property is less  
19 than one thousand dollars (\$1,000.00).

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21           **6-3-408. Theft of services; penalties.**

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

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)~~ one thousand dollars  
8 (\$1,000.00), or both, if the value of the services is less  
9 than 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:

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

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1 (c) A person who knowingly manufactures, distributes,  
2 sells, or offers for sale, rental or use any decoding or  
3 descrambling device or any plan or kit for such device,  
4 designed with intent to facilitate an act which constitutes  
5 a violation of subsection (a) of this section is guilty of:

6  
7 (ii) 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)~~ one thousand dollars  
10 (\$1,000.00), or both, if the value of the services is less  
11 than one thousand dollars (\$1,000.00).

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13 **6-3-607. Defrauding creditors; penalties.**

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15 (b) Defrauding creditors is:

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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)~~ one thousand dollars  
20 (\$1,000.00), or both, if the mortgagee's or secured party's  
21 interest is of a value of less than one thousand dollars  
22 (\$1,000.00).

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24 **6-3-702. Fraud by check; penalties.**

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2 (b) Fraud by check is:

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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)~~ one thousand dollars  
7 (\$1,000.00), or both, if the fraudulent check was for a sum  
8 of less than one thousand dollars (\$1,000.00); or

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10 **6-3-802. Unlawful use of credit card; penalties.**

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

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14 (i) A misdemeanor punishable by imprisonment for  
15 not more than six (6) months, a fine of not more than ~~seven~~  
16 ~~hundred fifty dollars (\$750.00)~~ one thousand dollars  
17 (\$1,000.00), or both, if the value of the property or  
18 services purchased or obtained is less than one thousand  
19 dollars (\$1,000.00); or

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21 **6-3-901. Unauthorized use of personal identifying**  
22 **information; penalties; restitution.**

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24 (c) Theft of identity is:



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(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)~~ one thousand dollars (\$1,000.00), or both, if no economic benefit was gained or was attempted to be gained, or if an economic benefit of less than one thousand dollars (\$1,000.00) was gained or was attempted to be gained by the defendant; or

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

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

(i) A misdemeanor punishable by a fine of not more than ~~seven hundred fifty dollars (\$750.00)~~ one thousand dollars (\$1,000.00), imprisonment for not more than ninety (90) days, or both, if the amount of benefits

1 obtained in violation of this section is less than one  
2 thousand dollars (\$1,000.00); or

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4 **Section 2.** This act is effective July 1, 2005.

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(END)