

## HOUSE BILL NO. HB0055

Property offenses.

Sponsored by: Representative(s) Clem, Biteman, Brown,  
Lindholm, Miller and Pelkey and Senator(s)  
Anselmi-Dalton and Von Flatern

A BILL

for

1 AN ACT relating to offenses against property; modifying  
2 requisite property values for offenses; and providing for  
3 an effective date.

4

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

6

7       **Section 1.** W.S. 1-1-127(a)(ii), 6-3-103(a)(ii),  
8 6-3-104(a), 6-3-201(b)(i) and (iii), 6-3-403(a)(i) and  
9 (iii), 6-3-404(a)(i), (iii), (b)(i) and (iii),  
10 6-3-406(a)(i) and (iii), 6-3-407(a)(i) and (iii),  
11 6-3-408(a)(i), (iii), (b)(i), (ii), (c)(i) and (ii),  
12 6-3-607(b)(i) and (iii), 6-3-702(b)(i) and (iii),  
13 6-3-802(b)(i) and (iii) and 6-3-901(c)(i) and (ii) are  
14 amended to read:

15

1           **1-1-127. Civil liability for shoplifting.**

2

3           (a) A person over ten (10) years of age who violates  
4 W.S. 6-3-404(a) or (b) is civilly liable to the merchant of  
5 the property in an amount consisting of:

6

7           (ii) A civil liability of twice the amount of  
8 the full marked or listed price of the property but not  
9 less than fifty dollars (\$50.00) nor more than ~~one thousand~~  
10 ~~dollars (\$1,000.00)~~ two thousand five hundred (\$2,500.00);

11 plus

12

13           **6-3-103. Arson; third degree; penalties.**

14

15           (a) A person is guilty of third-degree arson if he  
16 intentionally starts a fire or causes an explosion and  
17 intentionally, recklessly or with criminal negligence:

18

19           (ii) Destroys or damages any property of another  
20 which has a value of ~~two hundred dollars (\$200.00)~~ two  
21 thousand five hundred dollars (\$2,500.00) or more.

22

23           **6-3-104. Arson; fourth degree; penalties.**

1

2 (a) A person is guilty of fourth-degree arson if he  
3 intentionally starts a fire or causes an explosion and  
4 intentionally, recklessly or with criminal negligence  
5 destroys or damages any property of another as defined in  
6 W.S. 6-3-103(c) which has a value of less than ~~two hundred~~  
7 ~~dollars (\$200.00)~~ two thousand five hundred dollars  
8 (\$2,500.00).

9

10 **6-3-201. Property destruction and defacement;**  
11 **grading; penalties; aggregated costs or values.**

12

13 (b) Property destruction and defacement is:

14

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

21

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

1 thousand dollars (\$10,000.00), or both, if the cost of  
2 restoring injured property or the value of the property if  
3 destroyed is ~~one thousand dollars (\$1,000.00)~~ two thousand  
4 five hundred dollars (\$2,500.00) or more.

5

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

8

9 (a) A person who buys, receives, conceals or disposes  
10 of property which he knows, believes or has reasonable  
11 cause to believe was obtained in violation of law is guilty  
12 of:

13

14 (i) A felony punishable by imprisonment for not  
15 more than ten (10) years, a fine of not more than ten  
16 thousand dollars (\$10,000.00), or both, if the value of the  
17 property is ~~one thousand dollars (\$1,000.00)~~ two thousand  
18 five hundred dollars (\$2,500.00) or more; or

19

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

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

3

4 **6-3-404. Shoplifting; altering or removing price tags**  
5 **and markers; penalties.**

6

7 (a) A person who willfully conceals or takes  
8 possession of property offered for sale by a wholesale or  
9 retail store without the knowledge or consent of the owner  
10 and with intent to convert the property to his own use  
11 without paying the purchase price 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 property is ~~one thousand dollars (\$1,000.00)~~ two thousand  
17 five hundred dollars (\$2,500.00) or more; or

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 ~~one thousand dollars~~  
23 ~~(\$1,000.00)~~ two thousand five hundred dollars (\$2,500.00).

1

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

7

8 (i) A felony punishable by imprisonment for not  
9 more than ten (10) years, a fine of not more than ten  
10 thousand dollars (\$10,000.00), or both, if the difference  
11 between the marked or listed price and the amount actually  
12 paid is ~~one thousand dollars (\$1,000.00)~~ two thousand five  
13 hundred dollars (\$2,500.00) 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 difference between the marked or listed price and the  
19 amount actually paid is less than ~~one thousand dollars~~  
20 ~~(\$1,000.00)~~ two thousand five hundred dollars (\$2,500.00).

21

22 **6-3-406. Defrauding an innkeeper; penalties;**  
23 **definitions.**

1

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

6

7 (i) A felony punishable by imprisonment for not  
8 more than ten (10) years, a fine of not more than ten  
9 thousand dollars (\$10,000.00), or both, if the value of the  
10 food, drink or accommodations is ~~one thousand dollars~~  
11 ~~(\$1,000.00)~~ two thousand five hundred dollars (\$2,500.00)  
12 or more; or

13

14 (iii) 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 food, drink or accommodations is less than ~~one~~  
18 ~~thousand dollars (\$1,000.00)~~ two thousand five hundred  
19 dollars (\$2,500.00).

20

21 **6-3-407. Obtaining property by false pretenses;**  
22 **penalties.**

23

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 ~~one thousand dollars (\$1,000.00)~~ two thousand  
9 five hundred dollars (\$2,500.00) 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 ~~one thousand dollars~~  
15 ~~(\$1,000.00)~~ two thousand five hundred dollars (\$2,500.00).

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



1           (i) A felony punishable by imprisonment for not  
2 more than ten (10) years, a fine of not more than ten  
3 thousand dollars (\$10,000.00), or both, if the value of the  
4 services is ~~one thousand dollars (\$1,000.00)~~ two thousand  
5 five hundred dollars (\$2,500.00) or more; or

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 value of the services is less than ~~one thousand dollars~~  
11 ~~(\$1,000.00)~~ two thousand five hundred dollars (\$2,500.00).

12

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

19

20           (i) A felony punishable by imprisonment for not  
21 more than ten (10) years, a fine of not more than ten  
22 thousand dollars (\$10,000.00), or both, if the value of the

1 services is ~~one thousand dollars (\$1,000.00)~~ two thousand  
2 five hundred dollars (\$2,500.00) or more; or

3  
4 (ii) 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 services is less than ~~one thousand dollars~~  
8 ~~(\$1,000.00)~~ two thousand five hundred dollars (\$2,500.00).

9  
10 (c) A person who knowingly manufactures, distributes,  
11 sells, or offers for sale, rental or use any decoding or  
12 descrambling device or any plan or kit for such device,  
13 designed with intent to facilitate an act which constitutes  
14 a violation of subsection (a) of this section 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 services is ~~one thousand dollars (\$1,000.00)~~ two thousand  
20 five hundred dollars (\$2,500.00) or more; or

21  
22 (ii) A misdemeanor punishable by imprisonment  
23 for not more than six (6) months, a fine of not more than

1 seven hundred fifty dollars (\$750.00), or both, if the  
2 value of the services is less than ~~one thousand dollars~~  
3 ~~(\$1,000.00)~~ two thousand five hundred dollars (\$2,500.00).

4

5 **6-3-607. Defrauding creditors; penalties.**

6

7 (b) Defrauding creditors is:

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 mortgagee's  
12 or secured party's interest is of a value of ~~one thousand~~  
13 ~~dollars (\$1,000.00)~~ two thousand five hundred dollars  
14 (\$2,500.00) or more; or

15

16 (iii) A misdemeanor punishable by imprisonment  
17 for not more than six (6) months, a fine of not more than  
18 seven hundred fifty dollars (\$750.00), or both, if the  
19 mortgagee's or secured party's interest is of a value of  
20 less than ~~one thousand dollars (\$1,000.00)~~ two thousand  
21 five hundred dollars (\$2,500.00).

22

23 **6-3-702. Fraud by check; penalties.**

1

2 (b) Fraud by check 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 fraudulent  
7 check was for a sum of less than ~~one thousand dollars~~  
8 ~~(\$1,000.00)~~ two thousand five hundred dollars (\$2,500.00);  
9 or

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 fraudulent  
14 check was for the sum of ~~one thousand dollars (\$1,000.00)~~  
15 two thousand five hundred dollars (\$2,500.00), or more, or  
16 if the offender is convicted of fraud by check involving  
17 two (2) or more checks issued within any sixty (60) day  
18 period in the state of Wyoming totaling ~~one thousand~~  
19 ~~dollars (\$1,000.00)~~ at least two thousand five hundred  
20 dollars (\$2,500.00) or more in the aggregate.

21

22 **6-3-802. Unlawful use of credit card; penalties.**

23

1 (b) Unlawful use of a credit card 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), or both, if the value of  
6 the property or services purchased or obtained is less than  
7 ~~one thousand dollars (\$1,000.00)~~ two thousand five hundred  
8 dollars (\$2,500.00); or

9

10 (iii) A felony punishable by imprisonment for  
11 not more than ten (10) years, a fine of not more than ten  
12 thousand dollars (\$10,000.00), or both, if the value of the  
13 property or services purchased or obtained in violation of  
14 this section within any sixty (60) day period in the state  
15 of Wyoming totals ~~one thousand dollars (\$1,000.00)~~ two  
16 thousand five hundred dollars (\$2,500.00) or more in the  
17 aggregate.

18

19 **6-3-901. Unauthorized use of personal identifying**  
20 **information; penalties; restitution.**

21

22 (c) Theft of identity is:

23

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 no economic  
4 benefit was gained or was attempted to be gained, or if an  
5 economic benefit of less than ~~one thousand dollars~~  
6 ~~(\$1,000.00)~~ two thousand five hundred dollars (\$2,500.00)  
7 was gained or was attempted to be gained by the defendant;  
8 or

9  
10           (ii) 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 an economic  
13 benefit of ~~one thousand dollars (\$1,000.00)~~ two thousand  
14 five hundred dollars (\$2,500.00) or more was gained or was  
15 attempted to be gained by the defendant.

16

17           **Section 2.** This act is effective July 1, 2018.

18

19

(END)