



House of Representatives

General Assembly

File No. 619

January Session, 2005

Substitute House Bill No. 5725

House of Representatives, May 2, 2005

The Committee on Judiciary reported through REP. LAWLOR of the 99th Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

AN ACT CONCERNING THE CONVERSION OF LEASED PROPERTY.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subdivision (13) of section 53a-119 of the general statutes
2 is repealed and the following is substituted in lieu thereof (*Effective*
3 *October 1, 2005*):

4 (13) Conversion of leased property. (A) A person is guilty of
5 conversion of leased personal property who, with the intent of
6 converting the same to his own use or that of a third person, after
7 renting or leasing such property under an agreement in writing which
8 provides for the return of such property to a particular place at a
9 particular time, sells, conveys, conceals or aids in concealing such
10 property or any part thereof, and who thereafter fails to return such
11 property to the agreed place or to any other place of business of the
12 lessor within one hundred ninety-two hours after the lessor shall have
13 sent a written demand to him for the return of the property by
14 registered or certified mail addressed to him at his address as shown in

15 the written agreement, unless a more recent address is known to the
 16 lessor. Acknowledgment of the receipt of such written demand by the
 17 lessee shall not be necessary to establish that one hundred ninety-two
 18 hours have passed since such written demand was sent. (B) Any
 19 person, being in possession of personal property other than wearing
 20 apparel, received upon a written lease, who, with intent to defraud,
 21 sells, conveys, conceals or aids in concealing such property, or any part
 22 thereof, shall be prima facie presumed to have done so with the
 23 intention of converting such property to his own use. (C) A person
 24 who uses a false or fictitious name or address in obtaining such leased
 25 personal property shall be prima facie presumed to have obtained such
 26 leased personal property with the intent of converting the same to his
 27 own use or that of a third person. (D) "Leased personal property", as
 28 used in this subdivision, means any personal property received
 29 pursuant to a written contract, by which one owning such property,
 30 the lessor, grants to another, the lessee, the right to possess, use and
 31 enjoy such personal property for a specified period of time for a
 32 specified sum.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2005	53a-119(13)

JUD *Joint Favorable Subst.*

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either House thereof for any purpose:

OFA Fiscal Note

State Impact: None

Municipal Impact: None

Explanation

The bill clarifies the statutory offense of conversion of leased property, which is a type of larceny. There is no associated fiscal impact.

OLR Bill Analysis

sHB 5725

AN ACT CONCERNING THE CONVERSION OF LEASED PROPERTY**SUMMARY:**

This bill modifies one of the elements for the crime of "conversion of leased personal property." By law, a person commits this crime if he (1) rents or leases the property under a written agreement to return it to a particular place at a particular time; (2) intends to convert the property to his own or another's use; (3) sells, conveys, conceals, or aids in concealing the property; and (4) fails to return it to the agreed place or other place of business within 192 hours (eight days) after the lessor sends a written demand by registered or certified mail to the address on the agreement or a more recent address known to the lessor.

The bill specifies that acknowledgement of receipt of the demand is not necessary to show that the 192 hours have passed.

EFFECTIVE DATE: October 1, 2005

BACKGROUND***Penalties***

Conversion of leased personal property is a form of larceny. The punishment for larceny depends on the value of the property taken, ranging from a class C misdemeanor (up to three months in prison, a fine of up to \$500, or both) when the value of the property is up to \$250 to a class B felony (up to 20 years in prison, a fine of up to \$15,000, or both) when the value of the property is over \$10,000.

COMMITTEE ACTION

Judiciary Committee

Joint Favorable Substitute

Yea 39 Nay 1

