



**Substitute House Bill No. 5611**

**Public Act No. 06-118**

**AN ACT CONCERNING THE FAILURE TO RETURN RENTAL PROPERTY.**

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

Section 1. Section 53a-126b of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2006*):

(a) A person is guilty of criminal trover in the second degree when, knowing that [he] such person is not licensed or privileged to do so, [he] such person uses the personal property of another without the consent of such owner, and such use results in damage to or diminishes the value of such property or subjects such owner to economic loss, fine or other penalty.

(b) For the purposes of this section, "economic loss" includes uncompensated economic loss that exceeds five hundred dollars suffered by an owner of personal property who is engaged in the business of renting or leasing personal property when a person to whom such owner has rented or leased such property pursuant to a written agreement providing for the return of such property at a specified time fails to return such property within one hundred twenty hours after the owner sends a written demand to such person for the return of such property by registered mail addressed to such person at

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such person's address as shown in the written agreement, unless a more recent address is known to the owner. Acknowledgment of the receipt of such written demand by such person shall not be necessary to establish that one hundred twenty hours have passed since such written demand was sent. The provisions of this subsection shall not apply to personal property that is rented or leased (1) for personal, family or household purposes, or (2) pursuant to chapter 743i.

[(b)] (c) Criminal trover in the second degree is a class A misdemeanor.

Sec. 2. Subdivision (13) of section 53a-119 of the 2006 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2006*):

(13) Conversion of leased property. (A) A person is guilty of conversion of leased personal property who, with the intent of converting the same to his own use or that of a third person, after renting or leasing such property under an agreement in writing which provides for the return of such property to a particular place at a particular time, sells, conveys, conceals or aids in concealing such property or any part thereof, and who thereafter fails to return such property to the agreed place or to any other place of business of the lessor within one hundred ninety-two hours after the lessor shall have sent a written demand to him for the return of the property by registered or certified mail addressed to him at his address as shown in the written agreement, unless a more recent address is known to the lessor. Acknowledgment of the receipt of such written demand by the lessee shall not be necessary to establish that one hundred ninety-two hours have passed since such written demand was sent. (B) Any person, being in possession of personal property other than wearing apparel, received upon a written lease, who, with intent to defraud, sells, conveys, conceals or aids in concealing such property, or any part thereof, shall be prima facie presumed to have done so with the

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intention of converting such property to his own use. (C) A person who uses a false or fictitious name or address in obtaining such leased personal property shall be prima facie presumed to have obtained such leased personal property with the intent of converting the same to his own use or that of a third person. (D) "Leased personal property", as used in this subdivision, means any personal property received pursuant to a written contract, by which one owning such property, the lessor, grants to another, the lessee, the right to possess, use and enjoy such personal property for a specified period of time for a specified sum, but does not include personal property that is rented or leased pursuant to chapter 743i.

Approved June 2, 2006