



General Assembly

January Session, 2009

**Raised Bill No. 6576**

LCO No. 3896

\*03896\_\_\_\_\_JUD\*

Referred to Committee on Judiciary

Introduced by:  
(JUD)

**AN ACT CONCERNING LARCENY.**

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

1 Section 1. Section 53a-122 of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective October 1, 2009*):

3 (a) A person is guilty of larceny in the first degree when he commits  
4 larceny, as defined in section 53a-119, and: (1) The property or service,  
5 regardless of its nature and value, is obtained by extortion, (2) the  
6 value of the property or service exceeds [ten] twenty thousand dollars,  
7 (3) the property consists of a motor vehicle, the value of which exceeds  
8 [ten] twenty thousand dollars, or (4) the property is obtained by  
9 defrauding a public community, and the value of such property  
10 exceeds two thousand dollars.

11 (b) For purposes of this section, "motor vehicle" means any motor  
12 vehicle, construction equipment, agricultural tractor or farm  
13 implement or major component part of any of the above. In any  
14 prosecution under subdivision (3) of subsection (a) of this section,  
15 evidence of (1) forcible entry, (2) forcible removal of ignition, or (3)  
16 alteration, mutilation or removal of a vehicle identification number

17 shall be prima facie evidence (A) that the person in control or  
18 possession of such motor vehicle knows or should have known that  
19 such motor vehicle is stolen, and (B) that such person possesses such  
20 motor vehicle with larcenous intent.

21 (c) Larceny in the first degree is a class B felony.

22 Sec. 2. Section 53a-123 of the general statutes is repealed and the  
23 following is substituted in lieu thereof (*Effective October 1, 2009*):

24 (a) A person is guilty of larceny in the second degree when he  
25 commits larceny, as defined in section 53a-119, and: (1) The property  
26 consists of a motor vehicle, the value of which exceeds [five] ten  
27 thousand dollars, (2) the value of the property or service exceeds [five]  
28 ten thousand dollars, (3) the property, regardless of its nature or value,  
29 is taken from the person of another, (4) the property is obtained by  
30 defrauding a public community, and the value of such property is two  
31 thousand dollars or less, or (5) the property, regardless of its nature or  
32 value, is obtained by embezzlement, false pretenses or false promise  
33 and the victim of such larceny is sixty years of age or older or is blind  
34 or physically disabled, as defined in section 1-1f.

35 (b) For purposes of this section, "motor vehicle" means any motor  
36 vehicle, construction equipment, agricultural tractor or farm  
37 implement or major component part of any of the above. In any  
38 prosecution under subdivision (1) of subsection (a) of this section,  
39 evidence of (1) forcible entry, (2) forcible removal of ignition, or (3)  
40 alteration, mutilation or removal of a vehicle identification number  
41 shall be prima facie evidence (A) that the person in control or  
42 possession of such motor vehicle knows or should have known that  
43 such motor vehicle is stolen, and (B) that such person possesses such  
44 motor vehicle with larcenous intent.

45 (c) Larceny in the second degree is a class C felony.

46 Sec. 3. Section 53a-124 of the general statutes is repealed and the

47 following is substituted in lieu thereof (*Effective October 1, 2009*):

48 (a) A person is guilty of larceny in the third degree when he  
49 commits larceny, as defined in section 53a-119, and: (1) The property  
50 consists of a motor vehicle, the value of which is [five] ten thousand  
51 dollars or less; (2) the value of the property or service exceeds [one]  
52 two thousand dollars; (3) the property consists of a public record,  
53 writing or instrument kept, held or deposited according to law with or  
54 in the keeping of any public office or public servant; or (4) the property  
55 consists of a sample, culture, microorganism, specimen, record,  
56 recording, document, drawing or any other article, material, device or  
57 substance which constitutes, represents, evidences, reflects or records a  
58 secret scientific or technical process, invention or formula or any phase  
59 or part thereof. A process, invention or formula is "secret" when it is  
60 not, and is not intended to be, available to anyone other than the  
61 owner thereof or selected persons having access thereto for limited  
62 purposes with his consent, and when it accords or may accord the  
63 owner an advantage over competitors or other persons who do not  
64 have knowledge or the benefit thereof.

65 (b) For purposes of this section, "motor vehicle" means any motor  
66 vehicle, construction equipment, agricultural tractor or farm  
67 implement or major component part of any of the above. In any  
68 prosecution under subdivision (1) of subsection (a) of this section,  
69 evidence of (1) forcible entry, (2) forcible removal of ignition, or (3)  
70 alteration, mutilation or removal of a vehicle identification number  
71 shall be prima facie evidence (A) that the person in control or  
72 possession of such motor vehicle knows or should have known that  
73 such motor vehicle is stolen, and (B) that such person possesses such  
74 motor vehicle with larcenous intent.

75 (c) Larceny in the third degree is a class D felony.

76 Sec. 4. Section 53a-125 of the general statutes is repealed and the  
77 following is substituted in lieu thereof (*Effective October 1, 2009*):

78 (a) A person is guilty of larceny in the fourth degree when he  
79 commits larceny as defined in section 53a-119 and the value of the  
80 property or service exceeds [five hundred] one thousand dollars.

81 (b) Larceny in the fourth degree is a class A misdemeanor.

82 Sec. 5. Section 53a-125a of the general statutes is repealed and the  
83 following is substituted in lieu thereof (*Effective October 1, 2009*):

84 (a) A person is guilty of larceny in the fifth degree when he commits  
85 larceny as defined in section 53a-119 and the value of the property or  
86 service exceeds [two hundred fifty] five hundred dollars.

87 (b) Larceny in the fifth degree is a class B misdemeanor.

88 Sec. 6. Section 53a-125b of the general statutes is repealed and the  
89 following is substituted in lieu thereof (*Effective October 1, 2009*):

90 (a) A person is guilty of larceny in the sixth degree when he  
91 commits larceny as defined in section 53a-119 and the value of the  
92 property or service is [two hundred fifty] five hundred dollars or less.

93 (b) Larceny in the sixth degree is a class C misdemeanor.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2009</i>	53a-122
Sec. 2	<i>October 1, 2009</i>	53a-123
Sec. 3	<i>October 1, 2009</i>	53a-124
Sec. 4	<i>October 1, 2009</i>	53a-125
Sec. 5	<i>October 1, 2009</i>	53a-125a
Sec. 6	<i>October 1, 2009</i>	53a-125b

**Statement of Purpose:**

To raise the monetary thresholds that determine the various degrees of larceny.

*[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]*