



General Assembly

**Substitute Bill No. 5223**

February Session, 2010

\* \_\_\_\_\_HB05223JUD\_\_\_041310\_\_\_\_\_\*

**AN ACT CONCERNING ORGANIZED RETAIL THEFT.**

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

1 Section 1. (NEW) (*Effective October 1, 2010*) (a) As used in this  
2 section:

3 (1) "Retail property" means any new article, product, commodity,  
4 item or component intended to be sold in retail commerce;

5 (2) "Value" means the retail value of an item as advertised by the  
6 affected retail establishment, including applicable taxes; and

7 (3) "Retail property fence" means a person or business that buys  
8 retail property knowing that the property is stolen.

9 (b) Any person who, for financial gain and in conjunction with one  
10 or more other persons, commits larceny by shoplifting, as defined in  
11 section 53a-119 of the general statutes, of retail property having an  
12 aggregate value exceeding two thousand dollars and (1) wrongfully  
13 takes such property during a period of one hundred eighty days, or (2)  
14 sells, delivers or otherwise transfers such property to a retail property  
15 fence, shall have committed the offense of organized retail theft.

16 (c) Any person who receives, possesses, conceals, stores, barter,  
17 sells or disposes of any retail property acquired in violation of  
18 subsection (b) of this section, with the intent to distribute the proceeds

19 or otherwise promote, manage, carry on or facilitate a violation of said  
20 subsection, shall have committed the offense of accessory to organized  
21 retail theft.

22 (d) It shall not be a defense to a charge of accessory to organized  
23 retail theft in violation of subsection (c) of this section that the retail  
24 property was obtained by means other than through a violation of said  
25 subsection if the property was explicitly represented to the person  
26 charged under said subsection (c) as being obtained through the  
27 commission of organized retail theft.

28 (e) Any person who violates subsection (b) or (c) of this section shall  
29 be guilty of a class D felony, except that, if such person derives a  
30 financial benefit of ten thousand dollars or more as a result of such  
31 violation, such person shall be guilty of a class C felony.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2010</i>	New section

**JUD**      *Joint Favorable Subst.*