

2018 SESSION

INTRODUCED

18104379D

HOUSE BILL NO. 1105

Offered January 10, 2018

Prefiled January 10, 2018

A *BILL to amend and reenact § 18.2-103 of the Code of Virginia, relating to petit larceny; state of emergency; penalty.*

Patron—Stolle

Referred to Committee for Courts of Justice

Be it enacted by the General Assembly of Virginia:

1. That § 18.2-103 of the Code of Virginia is amended and reenacted as follows:

§ 18.2-103. Concealing or taking possession of merchandise; altering price tags; transferring goods from one container to another; counseling, etc., another in performance of such acts.

A. Whoever, without authority, with the intention of converting goods or merchandise to his own or another's use without having paid the full purchase price thereof, or of defrauding the owner of the value of the goods or merchandise, (i) willfully conceals or takes possession of the goods or merchandise of any store or other mercantile establishment, or (ii) alters the price tag or other price marking on such goods or merchandise, or transfers the goods from one container to another, or (iii) counsels, assists, aids or abets another in the performance of any of the above acts, when the value of the goods or merchandise involved in the offense is less than \$200, ~~shall be~~ is guilty of petit larceny and, when the value of the goods or merchandise involved in the offense is \$200 or more, ~~shall be~~ is guilty of grand larceny. The willful concealment of goods or merchandise of any store or other mercantile establishment, while still on the premises thereof, shall be prima facie evidence of an intent to convert and defraud the owner thereof out of the value of the goods or merchandise.

B. *The sentence of any person who violates subsection A, when the value of the goods or merchandise involved in the offense is less than \$200, within three days after the occurrence of a disaster, emergency, or major disaster that resulted in the declaration of a state of emergency by the Governor or the President of the United States shall include a mandatory minimum term of confinement of 10 days. As used in this subsection, "disaster," "emergency," and "major disaster" have the same meaning as defined in § 44-146.16.*

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