

ALASKA STATE LEGISLATURE

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REPRESENTATIVE STEVE THOMPSON DISTRICT 3

Sectional

HB 105

“An Act relating to theft and property offense; and providing for an effective date.”

(28-LS0451\A)

Section 1. AS 11.46.130(a) Theft in the Second Degree is amended:

This section will increase the minimum dollar amount of property or service taken for the crime of theft in the second degree from \$500 to \$1,500. Theft in the second degree is a class C felony. The range of sentencing for a class C felony is up to five years in prison and a fine of up to \$50,000.

Section 2. AS 11.46.140(a) Theft in the Third Degree is amended:

This section will increase the minimum amount of property or services taken for the crime of theft in the third degree from a range of \$50 - \$500, to a range of \$250 to \$1,500. Theft in the third degree is a class A misdemeanor. A class A misdemeanor is punishable by a term of imprisonment of not more than one year and fine of up to \$10,000.

Section 3. AS 11.46.150(a) Theft in the Third Degree is amended:

This section will increase the minimum amount of property or services taken for the crime of theft in the fourth degree from less \$50 to less than \$250. Theft in the fourth degree is a class B misdemeanor. A class B misdemeanor is punishable by a sentence of imprisonment of not more than 90 days and a fine of not more than \$2,000.

Section 4. AS 11.46.220(c) Concealment of Merchandise is amended:

These are conforming amendment, to increase the dollar amounts for the crimes of concealment of merchandises to correspond to the new threshold amounts for property or services theft crimes in sections 1-3 of the bill.

Section 5. AS 11.46.260(b) Removal of identification Marks is amended:

These are conforming amendments, to increase the dollar amounts for removal of identification marks to correspond to the threshold amounts for property or services theft crimes in sections 1-3 of the bill.

Section 6. AS 11.46.270(b) Unlawful possession is amended:

These are conforming amendments, to increase the dollar amounts for the crimes of unlawful possession to correspond to the threshold amount of property or services theft crimes in sections 1-3 of the bill.

Section 7. AS 11.46.280(d) Issuing a bad check is amended:

These are conforming amendments, to increase the dollar amounts for the crime of issuing a bad check to the threshold amounts of property or services theft crimes in sections 1-3 of the bill.

Section 8. AS 11.46.285(b) Fraudulent use of an access device is amended:

These are conforming amendments, to increase the dollar amounts for the crime of fraudulent use of an access device to the threshold amounts of property or services theft crimes in sections 1-3 of the bill.

Section 9. AS 11.46.360(a)(2)(B) Vehicle Theft in the first degree is amended:

Raises the loss amount from \$500 to \$1,500 for damages or reasonable expenses incurred for the crime to be Vehicle theft in the first degree is a class C felony..

Section 10. AS 11.46.482(a) Criminal Mischief in the third degree is amended:

This section will increase the minimum amount of property damage for the crime of criminal mischief in the third degree from \$500 to \$1,500. Criminal mischief in the third degree is a class C felony.

Section 11. AS 11.46.484(a) Criminal Mischief in the fourth degree is amended:

This section will increase the minimum amount of property damage for the crime of criminal mischief in the fourth degree from \$50 - \$500 to a range of \$250 - \$1,500. Criminal mischief in the fourth degree is a class A misdemeanor.

Section 12. AS 11.46.486(a) Criminal mischief in the fifth degree is amended:

This section will increase the minimum amount of property damage for the crime of criminal mischief in the fifth degree from \$50 to \$250. Criminal mischief in the fifth degree is a class B misdemeanor.

Section 13. AS 11.46.530(b) Criminal simulation is amended:

This section will increase the minimum amount of property damage for the crime of criminal simulation for a class C felony and class A and B misdemeanors

- *A class C felony if the value of what the object purports to represent is raised from \$500 to \$1,500.*
- *A class A misdemeanor if the value of what the object purports to represent is raised from a range to \$50 - \$500 to a range of \$250 - \$1,500;*
- *A class B misdemeanor if the value of what the object purports to represent is raised from less than \$50 to less than \$250.*

Section 14. AS 11.46.620(d) Misapplication of Property is amended:

This section will increase the amount of the value of the property for the crime of misapplication of property for a class C felony and class A misdemeanor.

- *A class C felony if the value of the property misapplied is raised from \$500 to \$1,500*
- *A class A misdemeanor if the value of the property misapplied is less than \$50 is raised to less than \$250.*

Section 15. AS 11.46.730(c) Defrauding creditors is amended:

This section will increase the minimum dollar amount for the crime of defrauding creditors for a class A misdemeanor, and class C felony.

- *The threshold for a class A misdemeanor is raised from less than \$500 to less than \$1,500.*
- *The threshold for a class C felony would be raised from between \$500 - \$25,000 to between \$1,500 and \$25,000.*

Section 16. *The uncodified law of the State of Alaska is amended by adding a new section on Applicability that this Act applies to offenses committed on or after the effective date of this Act:*

Section 17. *Establishes an effective date of July 1, 2013.*