



**ALASKA STATE LEGISLATURE
HOUSE RULES COMMITTEE
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Sectional

HB 13

"An Act relating to property crimes"

(26-LS0069\A)

Section 1: AS 11.46.130(a) is amended to read:

This section will increase the minimum amount of property or services for the crime of theft in the second degree.

(a) commits the crime of theft in the second degree if the person commits theft as defined in AS 11.46.100 and

- (1) the value of property or services is **\$1,500** [\$500] or more but less than \$25,000;
- (6) the value of the property is **\$250** [\$50] or more but less than **\$1,500** [\$500]

Section 2. AS 11.46.140(a) is amended to read:

This section will increase the minimum amount of property or services for the crime of theft in the third degree.

(a) commits the crime of theft in the third degree if the person commits theft as defined in AS 11.46.100 and

- (1) the value of property or services is **\$250** [\$50] or more but less than **\$1,500** [\$500]; **or**
- (2) [REPEALED]
- (3)] the value of the property is less than **\$250** [\$50]

Section 3. AS 11.46.150(a) is amended to read:

This section will increase the minimum amount of property or services for the crime of theft in the fourth degree.

(a) A person commits the crime of theft in the fourth degree if the person commits theft as defined in AS 11.46.100 and the value of the property or services is less than **\$250** [\$50].

Section 4. AS 11.46.220(c) is amended to read:

This section will increase the minimum amount of merchandise for the crime of concealment of merchandise for a class C felony, and class A and B misdemeanors.

(c) Concealment of merchandise is

(1) a class C felony if

(B) the value of the merchandise is **\$1,500** [\$500] or more, or

(C) the value of the merchandise is **\$250** [\$50] or more but less than **\$1,500** [\$500] and,

(2) a class A misdemeanor if

(A) the value of the merchandise is **\$250** [\$50] or more but less than **\$1,500** [\$500]; or

(B) the value of the merchandise is less than **\$250** [\$50] and,

(3) a class B misdemeanor if the value of the merchandise is less than **\$250** [\$50].

Section 5. AS 11.46.260(b) is amended to read:

This section will increase the minimum amount of property that identification marks are removed from for a class C felony and class A and B misdemeanors.

(b) Removal of identification marks is

(1) a class C felony if the value of the property on which the serial number or identification mark appeared is **\$1,500** [\$500] or more,

(2) a class A misdemeanor if the value of the property on which the serial number or identification mark appeared is **\$250** [\$50] or more but less than **\$1,500** [\$500];

(3) a class B misdemeanor if the value of the property on which the serial number or identification mark appeared is less than **\$250** [\$50].

Section 6. AS 11.46.270(b) is amended to read:

This section will increase the minimum amount of unlawful possession of property for a class C felony and class A and B misdemeanors.

(b) Unlawful possession is

(1) a class C felony if the value of the property on which the serial number or identification mark appeared is **\$1,500** [\$500] or more,

(2) a class A misdemeanor if the value of the property on which the serial number or identification mark appeared is **\$250** [\$50] or more but less than **\$1,500** [\$500];

(3) a class B misdemeanor if the value of the property on which the serial number or identification mark appeared is less than **\$250** [\$50].

Section 7. AS 11.46.280(d) is amended to read:

This section will increase the minimum amount of a bad check for a class C felony and class A and B misdemeanors.

(d) Issuing a bad check is

(1) a class B felony if the face amount of the check is \$25,000 or more;

(2) a class C felony if the face amount of the check is **\$1,500** [\$500] or more but less than \$25,000;

(3) a class A misdemeanor if the face amount of the check is **\$250** [\$50] or more but less than **\$1,500** [\$500];

(4) a class B misdemeanor if the face amount of the check is less than **\$250** [\$50].

Section 8. AS 11.46.280(d) is amended to read:

This section will increase the minimum amount of the fraudulent use of an access device for a class C felony and class A misdemeanor.

(b) Fraudulent use of an access device is

(1) a class B felony if the value of the property or services obtained is \$25,000 or more;

(2) a class C felony if the value of the property or services obtained is **\$1,500** [\$50] or more but less than \$25,000;

(3) a class A misdemeanor if the value of the property or services obtained is less than **\$1,500** [\$50].

Section 9. AS 11.46.295 is amended to read:

Sec. 11.46.295. Prior convictions. For purposes of considering prior convictions in prosecuting a crime of theft under AS 11.46.130(a)(6) or **11.46.140(a)(2)** [11.46.140(a)(3)], or in prosecuting the crime of concealment of merchandise under AS 11.46.220(c), a conviction for an offense under another law or ordinance with similar elements is a conviction of an offense having elements similar to those of an offense defined as such under Alaska law at the time the offense was committed. The court shall consider the date of a prior conviction as occurring on the date that sentence is imposed for the prior offense.

Section 10. AS 11.46.360(a) is amended to read:

This section will increase the minimum amount of property damage and expenses as a result of the loss of use of a vehicle.

(2) the propelled vehicle of another and

(A) the vehicle or any other property of another is damaged in a total amount of **\$1,500** [\$500] or more;

(B) the owner incurs reasonable expenses as a result of the loss of use of the vehicle, in a total amount of **\$1,500** [\$500] or more; or

Section 11. AS 11.46.482(a) is amended to read:

This section will increase the minimum amount of property damage for the crime of criminal mischief in the third degree.

(1) with intent to damage property of another, the person damages property of another in an amount of **\$1,500** [\$500] or more;

Section 12. AS 11.46.484(a) is amended to read:

This section will increase the minimum amount of property damage for the crime of criminal mischief in the fourth degree.

(2) with intent to damage property of another, the person damages property of another in an amount of **\$250** [\$50] or more but less than **\$1,500** [\$500];

Section 13. AS 11.46.486(a) is amended to read:

This section will increase the minimum amount of property damage for the crime of criminal mischief in the fifth degree.

(2) with intent to damage property of another, the person damages property of another in an amount less than **\$250** [\$50]; or

Section 14. AS 11.46.530(b) is amended to read:

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.

(1) a class C felony if the value of what the object purports to represent is **\$1,500** [\$500] or more;

(2) a class A misdemeanor if the value of what the object purports to represent is **\$250** [\$50] or more but less than **\$1,500** [\$500];

(3) a class B misdemeanor if the value of what the object purports to represent is less than **\$250** [\$50].

Section 15. AS 11.46.620(d) is amended to read:

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

(1) a class C felony if the value of the property misapplied is **\$1,500** [\$500] or more;

(2) a class A misdemeanor if the value of the property misapplied is less than **\$1,500** [\$500].

Section 16. AS 11.46.730(c) is amended to read:

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

(c) Defrauding creditors is a class A misdemeanor unless that secured party, judgment creditor, or creditor incurs a pecuniary loss of **\$1,500** [\$500] or more as a result to the defendant's conduct, in which case defrauding secured creditors is

(1) a class B felony if the loss is \$25,000 or more;

(2) a class C felony if the loss is **\$1,500** [\$500] or more but less than \$25,000.

Section 17. The uncodified law of the State of Alaska is amended by adding a new section to read:

This section will establish the date this act will apply to offenses committed.

APPLICABILITY. This Act applies to offenses committed on or after the effective date of this Act.