

Introduced: 1/30/89
Referred: Judiciary

go00599h

1 IN THE HOUSE

BY THE RULES COMMITTEE BY
REQUEST OF THE GOVERNOR

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HOUSE BILL NO. 130

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

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SIXTEENTH LEGISLATURE - FIRST SESSION

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A BILL

6 For an Act entitled: "An Act relating to penalties for repeat theft of-
7 fenses; and providing for an effective date."

8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

9 * Section 1. AS 11.46.120(a) is amended to read:

10 (a) A person commits the crime of theft in the first degree if
11 the person commits theft as defined in AS 11.46.100 and

12 (1) the value of the property or services is \$25,000 or
13 more; or

14 (2) the value of the property or services is \$500 or more
15 but less than \$25,000 and within the preceding five years the person
16 has been convicted and sentenced on two or more separate occasions in
17 this or another jurisdiction of theft in the first or second degree or
18 concealment of merchandise under AS 11.46.220(c)(1), [A CRIME SET OUT
19 IN (1) OF THIS SUBSECTION OR AS 11.46.130(a)(1) -- (3)] or an offense
20 under another law or ordinance with similar elements.

21 * Sec. 2. AS 11.46.130(a) is amended to read:

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

24 (1) the value of the property or services is \$500 or more
25 but less than \$25,000;

26 (2) the property is a firearm or explosive;

27 (3) the property is taken from the person of another; or

28 (4) the value of the property is \$50 or more but less than
29 \$500 and within the preceding five years the person has been convicted

1 and sentenced on two or more separate occasions in this or another
2 jurisdiction of theft in the first, second, or third degree, or con-
3 cealment of merchandise under AS 11.46.220(c)(1) or (2), [A CRIME SET
4 OUT IN (1) -- (3) OF THIS SUBSECTION OR AS 11.46.140(a)(1) or (2)] or
5 an offense under another law or ordinance with similar elements.

6 * Sec. 3. AS 11.46.140(a) is amended to read:

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

9 (1) the value of the property or services is \$50 or more
10 but less than \$500;

11 (2) the property is a credit card; or

12 (3) the value of the property is less than \$50 and within
13 the past five years the person has been convicted and sentenced on two
14 or more separate occasions in this or another jurisdiction of theft in
15 any degree or concealment of merchandise, or an offense under another
16 law or ordinance with similar elements.

17 * Sec. 4. AS 11.46.220(c) is amended to read:

18 (c) Concealment of merchandise is

19 (1) a class C felony if

20 (A) the merchandise is a firearm;

21 (B) the value of the merchandise is \$500 or more; or

22 (C) the value of the merchandise is \$50 or more but
23 less than \$500 and within the preceding five years the person has
24 been convicted and sentenced on two or more separate occasions in
25 this or another jurisdiction of the offense of concealment of
26 merchandise under this paragraph or (2) of this subsection, or of
27 theft in the first, second, or third degree, [THAT HAS A VALUE OF
28 \$50 OR MORE] or an offense under another law or ordinance with
29 similar elements;

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1 (2) a class A misdemeanor if
2 (A) the value of the merchandise is \$50 or more but
3 less than \$500; or
4 (B) the value of the merchandise is less than \$50 and
5 within the preceding five years the person has been convicted and
6 sentenced on two or more separate occasions of the offense of
7 concealment of merchandise or theft in any degree, or an offense
8 under another law or ordinance with similar elements;
9 (3) a class B misdemeanor if the value of the merchandise
10 is less than \$50.
11 * Sec. 5. This Act takes effect immediately under AS 01.10.070(c).