

April 12, 2001

**H 1196. INCREASE CERTAIN SHOPLIFTING PENALTIES. TO INCREASE THE PUNISHMENT FOR MULTIPLE OFFENSE SHOPLIFTERS WHO HAVE CERTAIN OTHER PRIOR CONVICTIONS.**

Rewrites GS 14-72.1 to increase the penalty for person convicted under the section for concealing merchandise or transferring price tag, if the person has a prior conviction for one of those offenses or for larceny, receiving stolen goods, or possessing stolen goods. If the person has one such prior conviction within the three years preceding the current conviction, the new offense is a Class 2 misdemeanor, and the term of imprisonment imposed may be suspended only on condition that the defendant be imprisoned for at least 72 hours as a condition of special probation, perform community service for at least 72 hours, or both. If the person has two or more prior convictions for such offenses within the five years preceding the current conviction, the new offense is a Class 1 misdemeanor, and the term of imprisonment imposed may be suspended only if a condition of special probation requires the defendant to serve a term of at least 11 days. In either case, if the judge finds the defendant is unable, by reason of mental or physical infirmity, to perform the service required and sets forth the reasons in the judgment, the

judge may pronounce such other sentence as the judge finds appropriate. Effective Dec. 1, 2001, and applies to offenses committed on or after that date.

**Intro. by McLawhorn.**

Ref. to Judiciary III

GS 14