

March 21, 2007

S 1270. AMEND LARCENY LAWS. Filed 3/21/07. *TO AMEND VARIOUS LARCENY STATUTES AND TO CREATE THE CRIMINAL OFFENSES OF THEFT OF INFANT FORMULA AND ORGANIZED RETAIL THEFT.*

Amends GS 14-71 (receiving stolen goods) to provide that the offense occurs regardless of whether the item had been feloniously stolen or taken. Previously, one of the ways a larceny became a felony was if the property involved was worth more than \$1,000. Amends GS 14-72 to lower that threshold to \$500. Makes parallel changes to felonious receiving and possession of stolen goods. Makes conforming changes. Amends GS 14-72.1, the shoplifting statute, to include within the scope of the price substitution provision the use of false product codes that identify the sales price. Also adds new subsections providing that if while engaged in shoplifting under GS 14-72.1(a), the person uses a specified exit door or removes, destroys, or deactivates a component of an anti-shoplifting or inventory control device, the offense is elevated to a Class H felony. Enacts GS 14-72.7 creating a new Class H felony for the theft of more than \$100 in infant formula. Adds a new Article 16A to GS Chapter 14 pertaining to Organized Retail Theft. Creates a new Class G felony for organized retail theft, and Class G felonies for receiving and possessing retail property obtained by organized retail theft. Effective December 1, 2007.

Intro. by Snow.

GS 14

May 8, 2007

S 1270. AMEND LARCENY LAWS. Filed 3/21/07. Senate committee substitute makes the following changes to 1st edition. Modifies proposed GS 14-72.1(d2) (concealing merchandise while still on store premises by using an exit door) to require as an element of the offense that the exit door used had a statement providing information about the felony offense and punishment posted on it. Enacts proposed new GS 14-72.1(d4) to make it a Class H felony to conceal merchandise while still on store premises by affixing a product code in order to fraudulently obtain goods at less than the actual price.

June 28, 2007

S 1270. AMEND LARCENY LAWS. Filed 3/21/07. Senate committee substitute makes the following changes to 2nd edition. Modifies proposed GS 14-72(a) to restore the threshold for felony larceny from proposed \$500 to \$1,000. Deletes proposed amendments to GS 14-72.1 (concealment of merchandise in mercantile establishments) and instead amends GS 14-72(b) to enact new subdivision (6) regarding felony larceny from any merchant. Provides that larceny is a Class H felony if the larceny is from any merchant and (1) the property is infant formula in excess of \$100 or (2) the value of the property is more than \$500 and the larceny is the result of a conspiracy between two or more individuals. Deletes proposed new GS 14-72.7 (theft of infant formula).

July 9, 2007

S 1270. AMEND LARCENY LAWS. Filed 3/21/07. Senate amendment makes the following changes to 3rd edition. Deletes proposed amendment to GS 14-71, which would have provided that the offense of receiving stolen goods occurred regardless of whether the item had been feloniously stolen or taken. Makes technical renumbering changes.

July 19, 2007

S 1270. AMEND LARCENY LAWS. Filed 3/21/07. House committee substitute makes the following changes to 4th edition. Amends GS 14-71 to make it a Class H felony for a person to knowingly receive or possess property in the custody of a law enforcement agency which was represented to the person by a law enforcement agent as stolen. Deletes the proposed changes to GS 14-72 and instead enacts new GS 14-72.11 to make it a Class H felony to commit larceny against a merchant: (1) by exiting through an exit door upon which a notice providing information about the felony offense and punishment is provided; (2) by removing, destroying, or deactivating a component of an anti-shoplifting or inventory control device; (3) by affixing a product code

created to obtain goods for a price lower than the sell price; or (4) when the property is more than \$100 worth of infant formula, as defined. Modifies proposed new GS 14-86.6 to make it a Class G felony to receive or possess (was, with the intent to distribute) any stolen retail property while knowing or having reasonable grounds to believe that the property is stolen. Clarifies that any interest a person acquires in violation of the statute is subject to forfeiture under the procedures in GS 18B-504. Deletes the provision providing that it is not a defense that the property was obtained by means other than through theft if the property was explicitly represented as being stolen. Also deletes the provision concerning venue. Makes a conforming title change.

July 24, 2007

S 1270. AMEND LARCENY LAWS. Filed 3/21/07. House amendment makes the following changes to 5th edition. Modifies proposed new GS 14-86.6 (organized retail theft) to decrease the charge for listed violations from a Class G felony to a Class H felony.

August 1, 2007

S 1270. AMEND LARCENY LAWS. Filed 3/21/07. House amendment makes the following changes to 6th edition. Modifies proposed new GS 14-72.11 to limit the Class H felony for committing larceny against a merchant by exiting through an emergency exit door so that it applies only if the property has a value of more than \$200.

August 27, 2007

SL 2007-373 (S 1270). AMEND LARCENY LAWS. AN ACT TO AMEND VARIOUS LARCENY STATUTES AND TO CREATE THE CRIMINAL OFFENSES OF ORGANIZED RETAIL THEFT. Summarized in *Daily Bulletin* 3/21/07, 5/8/07, 6/28/07, 7/9/07, 7/19/07, 7/24/07, and 8/1/07. Enacted August 19, 2007. Effective December 1, 2007.