

HCS HB 498 -- AUTO THEFT (Kratky)

COMMITTEE OF ORIGIN: Crime Prevention and Public Safety

This substitute changes the laws regarding the crimes of stealing, tampering, and receiving stolen property. The substitute:

(1) Allows the court to order restitution be paid to the victim of tampering or auto theft, including the victim's insurance deductible payment, towing and storage fees, and any reasonable expenses incurred by the victim in prosecuting the offense;

(2) Prohibits the court or the Board of Probation and Parole from releasing a person early from probation or parole if the person has failed to pay restitution;

(3) Makes evidence of prior acts of tampering admissible to prove the requisite knowledge or belief in a current tampering case;

(4) Makes tampering in the second degree a class C felony when the person has a prior conviction for tampering in the first or second degree, auto theft, or receiving stolen property;

(5) Expands the crime of stealing to include obtaining control over property or services under circumstances that a reasonable person would know it was stolen and clarifies that the crime occurs when undercover police are posing as the sellers of stolen property; and

(6) Makes auto theft a class B felony when the person has two prior convictions for stealing-related offenses.

FISCAL NOTE: Estimated Cost on General Revenue Fund of Less than \$100,000 in FY 2006, FY 2007, and FY 2008. No impact on Other State Funds in FY 2006, FY 2007, and FY 2008.