



Senate

General Assembly

File No. 430

January Session, 2025

Substitute Senate Bill No. 1321

Senate, April 2, 2025

The Committee on Public Safety and Security reported through SEN. GASTON of the 23rd Dist., Chairperson of the Committee on the part of the Senate, that the substitute bill ought to pass.

***AN ACT CONCERNING CRIMES RELATING TO GIFT CARDS,
ORGANIZED RETAIL THEFT, FOSTERING THE SALE OF STOLEN
PROPERTY AND CIVIL LIABILITY FOR CERTAIN CONDUCT
RELATING TO GOODS, MERCHANDISE OR PRODUCE.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 53-142k of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2025*):

3 (a) As used in this section:

4 (1) "Retail property" means any new article, product, commodity,
5 item or component intended to be sold in retail commerce;

6 (2) "Value" means the retail value of an item as advertised by the
7 affected retail establishment, including applicable taxes; and

8 (3) "Retail property fence" means a person who buys retail property
9 when such person knows or should know the property is stolen and
10 with the intent to unlawfully distribute the property or to promote,

11 manage, carry on or facilitate a violation of subsection (b) of this section.

12 (b) Any person who, for financial gain and in conjunction with one or
13 more other persons, commits larceny by shoplifting, as defined in
14 section 53a-119, as amended by this act, of retail property having an
15 aggregate value exceeding two thousand dollars and (1) wrongfully
16 takes such property during a period of [one hundred eighty] three
17 hundred sixty-five days, or (2) sells, delivers or otherwise transfers such
18 property to a retail property fence, shall have committed the offense of
19 organized retail theft.

20 (c) Any person who receives, possesses, conceals, stores, barter, sells
21 or disposes of any retail property acquired in violation of subsection (b)
22 of this section, including through the use of an online platform, Internet
23 web site or electronic device, with the intent to distribute the proceeds
24 or otherwise promote, manage, carry on or facilitate a violation of said
25 subsection, shall have committed the offense of accessory to organized
26 retail theft.

27 (d) It shall not be a defense to a charge of accessory to organized retail
28 theft in violation of subsection (c) of this section that the retail property
29 was obtained by means other than through a violation of said subsection
30 if the property was explicitly represented to the person charged under
31 said subsection (c) as being obtained through the commission of
32 organized retail theft.

33 (e) Any person who violates subsection (b) or (c) of this section shall
34 be guilty of a class D felony, except that, if such person derives a
35 financial benefit of ten thousand dollars or more as a result of such
36 violation, such person shall be guilty of a class C felony.

37 Sec. 2. Section 53a-119 of the general statutes is repealed and the
38 following is substituted in lieu thereof (*Effective October 1, 2025*):

39 A person commits larceny when, with intent to deprive another of
40 property or to appropriate the same to himself or a third person, he
41 wrongfully takes, obtains or withholds such property from an owner.

42 Larceny includes, but is not limited to:

43 (1) Embezzlement. A person commits embezzlement when he
44 wrongfully appropriates to himself or to another property of another in
45 his care or custody.

46 (2) Obtaining property by false pretenses. A person obtains property
47 by false pretenses when, by any false token, pretense or device, he
48 obtains from another any property, with intent to defraud him or any
49 other person.

50 (3) Obtaining property by false promise. A person obtains property
51 by false promise when, pursuant to a scheme to defraud, he obtains
52 property of another by means of a representation, express or implied,
53 that he or a third person will in the future engage in particular conduct,
54 and when he does not intend to engage in such conduct or does not
55 believe that the third person intends to engage in such conduct. In any
56 prosecution for larceny based upon a false promise, the defendant's
57 intention or belief that the promise would not be performed may not be
58 established by or inferred from the fact alone that such promise was not
59 performed.

60 (4) Acquiring property lost, mislaid or delivered by mistake. A
61 person who comes into control of property of another that he knows to
62 have been lost, mislaid, or delivered under a mistake as to the nature or
63 amount of the property or the identity of the recipient is guilty of larceny
64 if, with purpose to deprive the owner thereof, he fails to take reasonable
65 measures to restore the property to a person entitled to it.

66 (5) Extortion. A person obtains property by extortion when he
67 compels or induces another person to deliver such property to himself
68 or a third person by means of instilling in him a fear that, if the property
69 is not so delivered, the actor or another will: (A) Cause physical injury
70 to some person in the future; or (B) cause damage to property; or (C)
71 engage in other conduct constituting a crime; or (D) accuse some person
72 of a crime or cause criminal charges to be instituted against him; or (E)
73 expose a secret or publicize an asserted fact, whether true or false,

74 tending to subject some person to hatred, contempt or ridicule; or (F)
75 cause a strike, boycott or other collective labor group action injurious to
76 some person's business; except that such a threat shall not be deemed
77 extortion when the property is demanded or received for the benefit of
78 the group in whose interest the actor purports to act; or (G) testify or
79 provide information or withhold testimony or information with respect
80 to another's legal claim or defense; or (H) use or abuse his position as a
81 public servant by performing some act within or related to his official
82 duties, or by failing or refusing to perform an official duty, in such
83 manner as to affect some person adversely; or (I) inflict any other harm
84 which would not benefit the actor.

85 (6) Defrauding of public community. A person is guilty of defrauding
86 a public community who (A) authorizes, certifies, attests or files a claim
87 for benefits or reimbursement from a local, state or federal agency which
88 he knows is false; or (B) knowingly accepts the benefits from a claim he
89 knows is false; or (C) as an officer or agent of any public community,
90 with intent to prejudice it, appropriates its property to the use of any
91 person or draws any order upon its treasury or presents or aids in
92 procuring to be allowed any fraudulent claim against such community.
93 For purposes of this subdivision such order or claim shall be deemed to
94 be property.

95 (7) Theft of services. A person is guilty of theft of services when: (A)
96 With intent to avoid payment for restaurant services rendered, or for
97 services rendered to him as a transient guest at a hotel, motel, inn,
98 tourist cabin, rooming house or comparable establishment, he avoids
99 such payment by unjustifiable failure or refusal to pay, by stealth, or by
100 any misrepresentation of fact which he knows to be false; or (B) (i) except
101 as provided in section 13b-38i, with intent to obtain railroad, subway,
102 bus, air, taxi or any other public transportation service without payment
103 of the lawful charge therefor or to avoid payment of the lawful charge
104 for such transportation service which has been rendered to him, he
105 obtains such service or avoids payment therefor by force, intimidation,
106 stealth, deception or mechanical tampering, or by unjustifiable failure
107 or refusal to pay, or (ii) with intent to obtain the use of equipment,

108 including a motor vehicle, without payment of the lawful charge
109 therefor, or to avoid payment of the lawful charge for such use which
110 has been permitted him, he obtains such use or avoids such payment
111 therefor by means of any false or fraudulent representation, fraudulent
112 concealment, false pretense or personation, trick, artifice or device,
113 including, but not limited to, a false representation as to his name,
114 residence, employment, or driver's license; or (C) obtaining or having
115 control over labor in the employ of another person, or of business,
116 commercial or industrial equipment or facilities of another person,
117 knowing that he is not entitled to the use thereof, and with intent to
118 derive a commercial or other substantial benefit for himself or a third
119 person, he uses or diverts to the use of himself or a third person such
120 labor, equipment or facilities.

121 (8) Receiving stolen property. A person is guilty of larceny by
122 receiving stolen property if he receives, retains, or disposes of stolen
123 property knowing that it has probably been stolen or believing that it
124 has probably been stolen, unless the property is received, retained or
125 disposed of with purpose to restore it to the owner. A person who
126 accepts or receives the use or benefit of a public utility commodity
127 which customarily passes through a meter, knowing such commodity
128 (A) has been diverted therefrom, (B) has not been correctly registered or
129 (C) has not been registered at all by a meter, is guilty of larceny by
130 receiving stolen property.

131 (9) Shoplifting. A person is guilty of shoplifting who intentionally
132 takes possession of any goods, wares or merchandise offered or exposed
133 for sale by any store or other mercantile establishment with the intention
134 of converting the same to his own use, without paying the purchase
135 price thereof. A person intentionally concealing unpurchased goods or
136 merchandise of any store or other mercantile establishment, either on
137 the premises or outside the premises of such store, shall be prima facie
138 presumed to have so concealed such article with the intention of
139 converting the same to his own use without paying the purchase price
140 thereof.

141 (10) Conversion of a motor vehicle. A person is guilty of conversion
142 of a motor vehicle who, after renting or leasing a motor vehicle under
143 an agreement in writing which provides for the return of such vehicle
144 to a particular place at a particular time, fails to return the vehicle to
145 such place within the time specified, and who thereafter fails to return
146 such vehicle to the agreed place or to any other place of business of the
147 lessor within one hundred twenty hours after the lessor shall have sent
148 a written demand to him for the return of the vehicle by registered mail
149 addressed to him at his address as shown in the written agreement or,
150 in the absence of such address, to his last-known address as recorded in
151 the records of the motor vehicle department of the state in which he is
152 licensed to operate a motor vehicle. It shall be a complete defense to any
153 civil action arising out of or involving the arrest or detention of any
154 person to whom such demand was sent by registered mail that he failed
155 to return the vehicle to any place of business of the lessor within one
156 hundred twenty hours after the mailing of such demand.

157 (11) Obtaining property through fraudulent use of an automated
158 teller machine. A person obtains property through fraudulent use of an
159 automated teller machine when such person obtains property by
160 knowingly using in a fraudulent manner an automated teller machine
161 with intent to deprive another of property or to appropriate the same to
162 himself or a third person. In any prosecution for larceny based upon
163 fraudulent use of an automated teller machine, the crime shall be
164 deemed to have been committed in the town in which the machine was
165 located. In any prosecution for larceny based upon more than one
166 instance of fraudulent use of an automated teller machine, (A) all such
167 instances in any six-month period may be combined and charged as one
168 offense, with the value of all property obtained thereby being
169 accumulated, and (B) the crime shall be deemed to have been committed
170 in any of the towns in which a machine which was fraudulently used
171 was located. For the purposes of this subsection, "automated teller
172 machine" means an unmanned device at which banking transactions
173 including, without limitation, deposits, withdrawals, advances,
174 payments and transfers may be conducted, and includes, without
175 limitation, a satellite device and point of sale terminal as defined in

176 section 36a-2.

177 (12) Library theft. A person is guilty of library theft when (A) he
178 conceals on his person or among his belongings a book or other archival
179 library materials, belonging to, or deposited in, a library facility with the
180 intention of removing the same from the library facility without
181 authority or without authority removes a book or other archival library
182 materials from such library facility, or (B) he mutilates a book or other
183 archival library materials belonging to, or deposited in, a library facility,
184 so as to render it unusable or reduce its value. The term "book or other
185 archival library materials" includes any book, plate, picture,
186 photograph, engraving, painting, drawing, map, manuscript,
187 document, letter, public record, microform, sound recording,
188 audiovisual material in any format, magnetic or other tape, electronic
189 data-processing record, artifact or other documentary, written or
190 printed material regardless of physical form or characteristics, or any
191 part thereof, belonging to, on loan to, or otherwise in the custody of a
192 library facility. The term "library facility" includes any public library,
193 any library of an educational institution, organization or society, any
194 museum, any repository of public records and any archives.

195 (13) Conversion of leased property. (A) A person is guilty of
196 conversion of leased personal property who, with the intent of
197 converting the same to his own use or that of a third person, after renting
198 or leasing such property under an agreement in writing which provides
199 for the return of such property to a particular place at a particular time,
200 sells, conveys, conceals or aids in concealing such property or any part
201 thereof, and who thereafter fails to return such property to the agreed
202 place or to any other place of business of the lessor within one hundred
203 ninety-two hours after the lessor shall have sent a written demand to
204 him for the return of the property by registered or certified mail
205 addressed to him at his address as shown in the written agreement,
206 unless a more recent address is known to the lessor. Acknowledgment
207 of the receipt of such written demand by the lessee shall not be necessary
208 to establish that one hundred ninety-two hours have passed since such
209 written demand was sent. (B) Any person, being in possession of

210 personal property other than wearing apparel, received upon a written
211 lease, who, with intent to defraud, sells, conveys, conceals or aids in
212 concealing such property, or any part thereof, shall be prima facie
213 presumed to have done so with the intention of converting such
214 property to his own use. (C) A person who uses a false or fictitious name
215 or address in obtaining such leased personal property shall be prima
216 facie presumed to have obtained such leased personal property with the
217 intent of converting the same to his own use or that of a third person.
218 (D) "Leased personal property", as used in this subdivision, means any
219 personal property received pursuant to a written contract, by which one
220 owning such property, the lessor, grants to another, the lessee, the right
221 to possess, use and enjoy such personal property for a specified period
222 of time for a specified sum, but does not include personal property that
223 is rented or leased pursuant to chapter 743i.

224 (14) Failure to pay prevailing rate of wages. A person is guilty of
225 failing to pay the prevailing rate of wages when he (A) files a certified
226 payroll, in accordance with section 31-53 which he knows is false, in
227 violation of section 53a-157a, and (B) fails to pay to an employee or to
228 an employee welfare fund the amount attested to in the certified payroll
229 with the intent to convert such amount to his own use or to the use of a
230 third party.

231 (15) Theft of utility service. A person is guilty of theft of utility service
232 when he intentionally obtains electric, gas, water, telecommunications,
233 wireless radio communications or community antenna television
234 service that is available only for compensation: (A) By deception or
235 threat or by false token, slug or other means including, but not limited
236 to, electronic or mechanical device or unauthorized use of a confidential
237 identification or authorization code or through fraudulent statements,
238 to avoid payment for the service by himself or another person; or (B) by
239 tampering or making connection with or disconnecting the meter, pipe,
240 cable, conduit, conductor, attachment or other equipment or by
241 manufacturing, modifying, altering, programming, reprogramming or
242 possessing any device, software or equipment or part or component
243 thereof or by disguising the identity or identification numbers of any

244 device or equipment utilized by a supplier of electric, gas, water,
245 telecommunications, wireless radio communications or community
246 antenna television service, without the consent of such supplier, in order
247 to avoid payment for the service by himself or another person; or (C)
248 with intent to avoid payment by himself or another person for a
249 prospective or already rendered service the charge or compensation for
250 which is measured by a meter or other mechanical measuring device
251 provided by the supplier of the service, by tampering with such meter
252 or device or by attempting in any manner to prevent such meter or
253 device from performing its measuring function, without the consent of
254 the supplier of the service. There shall be a rebuttable presumption that
255 the person to whom the service is billed has the intent to obtain the
256 service and to avoid making payment for the service if, without the
257 consent of the supplier of the service: (i) Any meter, pipe, cable, conduit,
258 conductor, attachment or other equipment has been tampered with or
259 connected or disconnected, (ii) any device, software or equipment or
260 part or component thereof has been modified, altered, programmed,
261 reprogrammed or possessed, (iii) the identity or identification numbers
262 of any device or equipment utilized by the supplier of the service have
263 been disguised, or (iv) a meter or other mechanical measuring device
264 provided by the supplier of the service has been tampered with or
265 prevented from performing its measuring function. The presumption
266 does not apply if the person to whose service the condition applies has
267 received such service for less than thirty-one days or until the service
268 supplier has made at least one meter or service reading and provided a
269 billing statement to the person as to whose service the condition applies.
270 The presumption does not apply with respect to wireless radio
271 communications.

272 (16) Air bag fraud. A person is guilty of air bag fraud when such
273 person, with intent to defraud another person, obtains property from
274 such other person or a third person by knowingly selling, installing or
275 reinstalling any object, including any counterfeit air bag or
276 nonfunctional air bag, as such terms are defined in section 14-106d, in
277 lieu of an air bag that was designed in accordance with federal safety
278 requirements as provided in 49 CFR 571.208, as amended, and which is

279 proper for the make, model and year of the vehicle, as part of the vehicle
280 inflatable restraint system.

281 (17) Theft of motor fuel. A person is guilty of theft of motor fuel when
282 such person (A) delivers or causes to be delivered motor fuel, as defined
283 in section 14-327a, into the fuel tank of a vehicle or into a portable
284 container, or into both, on the premises of a retail dealer, as defined in
285 section 14-318, and (B) with the intent to appropriate such motor fuel to
286 himself or a third person, leaves such premises without paying the
287 purchase price for such motor fuel.

288 (18) Failure to repay surplus Citizens' Election Fund grant funds. A
289 person is guilty of failure to repay surplus Citizens' Election Fund grant
290 funds when such person fails to return to the Citizens' Election Fund
291 any surplus funds from a grant made pursuant to sections 9-700 to 9-
292 716, inclusive, not later than ninety days after the primary or election for
293 which the grant is made.

294 (19) Fostering the sale of stolen property. A person is guilty of
295 fostering the sale of stolen property when such person hosts, advertises
296 or otherwise assists in the sale of stolen property, including through an
297 online platform, knowing or believing that such property has been
298 stolen, unless such property is received, retained or disposed of with
299 purpose to restore such property to the owner.

300 (20) Gift card crime. (A) A person is guilty of gift card crime when,
301 with intent to defraud, such person (i) acquires or retains possession of
302 a gift card or gift card redemption information without the consent of
303 the cardholder, card issuer or gift card seller, (ii) alters or tampers with
304 a gift card, or (iii) devises a scheme to obtain a gift card or gift card
305 information from a cardholder, card issuer or gift card seller by means
306 of false or fraudulent pretenses, representations or promises. (B) For
307 purposes of this subdivision: (i) "Cardholder" means any person or
308 party (I) to whom a physical or virtual gift card is issued through a
309 purchase, or (II) who receives a gift card from a willing party; (ii) "card
310 issuer" means any person who issues a gift card or the agent of such
311 person with respect to such card; (iii) "closed-loop gift card" means a

312 card, code or device that is (I) issued to a consumer on a prepaid basis
313 in a specified amount, regardless of whether such amount may be
314 increased or reloaded in exchange for payment, and (II) redeemable for
315 goods, services or anything of value upon presentation by a consumer
316 to a single merchant or group of affiliated merchants; (iv) "gift card"
317 means a physical or digital closed-loop gift card or open-loop gift card
318 that is activated or inactivated; (v) "gift card redemption information"
319 means information unique to each gift card that allows the cardholder
320 to access, transfer or spend the funds on such gift card; (vi) "open-loop
321 gift card" means a card, code or device that is (I) issued to a consumer
322 on a prepaid basis in a specified amount, regardless of whether such
323 amount may be increased or reloaded in exchange for payment, and (II)
324 redeemable for goods, services or anything of value upon presentation
325 by a consumer to multiple unaffiliated merchants within a payment
326 card network; and (vii) "gift card seller" means a merchant who is
327 engaged in the business of selling open-loop gift cards or closed-loop
328 gift cards to consumers.

329 Sec. 3. Section 52-564a of the general statutes is repealed and the
330 following is substituted in lieu thereof (*Effective October 1, 2025*):

331 (a) Any person eighteen years of age or older or an emancipated
332 minor who takes possession of goods or merchandise displayed or
333 offered for sale by any mercantile establishment, or who takes from any
334 real property any agricultural produce kept, grown or raised on the
335 property for purposes of sale, without the consent of the owner and with
336 the intention of converting such goods, merchandise or produce to his
337 own use without having paid the purchase price thereof, or who alters
338 the price indicia of such goods or merchandise, shall be liable in a civil
339 action to the owner of the goods, merchandise or produce for (1) the
340 actual and reasonable costs of maintaining the action, including court
341 costs and a reasonable attorney's fee, (2) the retail value of the goods,
342 merchandise or produce taken, if not recovered by the time of the
343 commencement of the action or if recovered in an unmerchantable
344 condition, and (3) punitive damages in an amount not to exceed [three
345 hundred] one thousand dollars.

346 (b) A conviction of larceny by shoplifting, as defined in subdivision
347 (9) of section 53a-119, as amended by this act, shall not be a condition
348 precedent to the maintenance of a civil action under this section.

349 (c) In any action brought pursuant to subsection (a) of this section, if
350 the plaintiff does not prevail, the court may award costs and reasonable
351 attorney's fees to the defendant. [his costs, including a reasonable
352 attorney's fee, and damages not to exceed three hundred dollars.]

353 (d) No action shall be brought pursuant to subsection (a) of this
354 section but within two years from the date of the act complained of.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2025	53-142k
Sec. 2	October 1, 2025	53a-119
Sec. 3	October 1, 2025	52-564a

Section 1	October 1, 2025	53-142k
Sec. 2	October 1, 2025	53a-119
Sec. 3	October 1, 2025	52-564a

PS *Joint Favorable Subst.*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note

State Impact:

Agency Affected	Fund-Effect	FY 26 \$	FY 27 \$
Judicial Dept. (Probation); Correction, Dept.	GF - Potential Cost	Minimal	Minimal
Resources of the General Fund	GF - Revenue Gain	Minimal	Minimal

Note: GF=General Fund

Municipal Impact: None

Explanation

The bill expands the circumstances under which an individual can be charged for organized retail theft and creates two new crimes under larceny which ranges from a class C misdemeanor to a class B felony. This results in a potential cost to the Department of Correction and the Judicial Department for incarceration or probation and a potential revenue gain to the General Fund from fines.¹ On average, the marginal cost to the state for incarcerating an offender for the year is \$3,300² while the average marginal cost for supervision in the community is less than \$600³ each year for adults and \$450 each year for juveniles.

¹ In FY 22-24, there were 167 charges and \$5,000 in fines collected under 53-142k. There were 47,016 charges and \$141,653 in fines collected under CGS §§ 53a-122 to -125b. There are currently approximately 400 individuals incarcerated for larceny related offenses.

² Inmate marginal cost is based on increased consumables (e.g., food, clothing, water, sewage, living supplies, etc.) This does not include a change in staffing costs or utility expenses because these would only be realized if a unit or facility opened.

³ Probation marginal cost is based on services provided by private providers and only includes costs that increase with each additional participant. This does not include a cost for additional supervision by a probation officer unless a new offense is anticipated to result in enough additional offenders to require additional probation officers.

The Out Years

The annualized ongoing fiscal impact identified above would continue into the future subject to the actual number of violations.

OLR Bill Analysis**sSB 1321*****AN ACT CONCERNING CRIMES RELATING TO GIFT CARDS, ORGANIZED RETAIL THEFT, FOSTERING THE SALE OF STOLEN PROPERTY AND CIVIL LIABILITY FOR CERTAIN CONDUCT RELATING TO GOODS, MERCHANDISE OR PRODUCE.*****SUMMARY**

This bill expands the crime of organized retail theft by lengthening the time period, from 180 to 365 days, within which a person must reach the \$2,000 threshold that triggers the crime. It also specifies that a person is guilty of being an accessory to organized retail theft by using certain online and electronic tools to receive, control, and dispose of the stolen property.

The bill also establishes two new crimes: (1) fostering the sale of stolen property and (2) gift card crimes (e.g., altering or tampering with a gift card) and makes them a form of larceny.

Finally, the bill increases the maximum civil liability for punitive damages, from \$300 to \$1,000, for shoplifting certain goods or merchandise from a store or agricultural produce from real property. In cases where the plaintiff loses, the bill eliminates the court's ability to award defendants up to \$300 in damages but continues to allow the court to award them costs and reasonable attorneys' fees.

EFFECTIVE DATE: October 1, 2025

ORGANIZED RETAIL THEFT

Currently, a person commits organized retail theft when, for financial gain, he or she works with at least one other person to shoplift retail property that has an aggregate value of more than \$2,000 and (1) does it within a specified time frame and (2) sells, delivers, or otherwise transfers it to a retail property fence (i.e. a person who buys retail

property that he or she knows or should know is stolen with the intent to unlawfully distribute or promote, manage, carry on, or facilitate the crime of organized retail theft).

The bill lengthens, from 180 to 365 days, the time period within which the person must shoplift the retail property to be guilty of the crime of organized retail theft.

Under existing law, a person commits accessory to organized retail theft if he or she receives, possesses, conceals, stores, barter, sells, or otherwise disposes of the stolen property intending to (1) distribute the proceeds or (2) promote, manage, carry on, or facilitate organized retail theft. The bill specifies this includes doing so through an online platform, Internet website, or any electronic device.

By law, the crimes of organized retail theft and accessory to organized theft are both class D felonies (punishable by up to five years imprisonment, up to a \$5,000 fine, or both). If the financial benefit is \$10,000 or more, then it is a class C felony (punishable by up to 10 years imprisonment, up to a \$10,000 fine, or both).

FOSTERING THE SALE OF STOLEN PROPERTY

The bill establishes the crime of “fostering the sale of stolen property” and makes it a form of larceny. A person is guilty of this new crime when he or she (1) hosts, advertises, or otherwise helps sell stolen property, including through an online platform, and (2) knows or believes that the property was stolen. This crime does not apply if the property is received, retained, or disposed of in order to give it back to the owner.

By law, the punishment for larceny depends on the value of the property taken, ranging from a class C misdemeanor (punishable by up to three months imprisonment, up to a \$500 fine, or both) when the property value is up to \$500, to a class B felony (punishable by up to 20 years imprisonment, up to a \$15,000 fine, or both) when the property value exceeds \$20,000 (CGS § 53a-122 to -125b).

GIFT CARD CRIME

The bill establishes a new “gift card crime” as a form of larceny. A person is guilty of this crime when, with intent to defraud, the person:

1. acquires or keeps a gift card or gift card redemption information without the consent of the cardholder or the gift card’s issuer or seller;
2. alters or tampers with a gift card; or
3. devises a scheme to get a gift card or gift card information from a cardholder or gift card issuer seller by false or fraudulent pretenses, representations, or promises.

Under the bill, gift cards are physical or digital, closed-loop or open-loop gift cards that are activated or inactivated. Closed loop gift cards are cards, codes, or devices on which consumers prepay a specified amount, but can only redeem at the specific merchant or group of affiliated merchants who issued it. Open-loop gift cards can be redeemed at multiple unaffiliated merchants within a payment card network (e.g., Visa).

LIABILITY FOR SHOPLIFTING

The bill increases the maximum civil liability for punitive damages, from \$300 to \$1,000, for an adult or emancipated minor who shoplifts (1) goods or merchandise a store displays or (2) certain agricultural produce without the owner’s consent and with the intent of not paying for them or altering their price.

As under existing law, the person taking the goods or merchandise is also liable for the actual and reasonable costs of (1) maintaining the civil action, including court costs and reasonable attorney’s fees, and (2) the retail value of the goods, merchandise, or produce taken. Additionally, a larceny criminal conviction is not required to maintain this civil action, but all actions must be brought within two years of the initial complaint.

The bill also eliminates the ability for the court to award damages of

up to \$300 to the defendant if the plaintiff does not prevail. But as under existing law, the court may award the defendant costs and reasonable attorneys' fees.

COMMITTEE ACTION

Public Safety and Security Committee

Joint Favorable Substitute

Yea 29 Nay 0 (03/18/2025)