



General Assembly

## ***Substitute Bill No. 1321***

*January Session, 2025*



***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 Section 53-142k of the general statutes is repealed and the  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.*