



SPONSOR: Sen. Lopez

DELAWARE STATE SENATE
149th GENERAL ASSEMBLY

SENATE BILL NO. 134

AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO OFFENSES INVOLVING PROPERTY.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE:

1 Section 1. Amend § 841, Title 11 of the Delaware Code by making deletions as shown by strikethrough and
2 insertions as shown by underline as follows:

3 § 841. Theft; class B felony; class D felony; class F felony; class G felony; class A misdemeanor; restitution.

4 (a) A person is guilty of theft when the person takes, exercises control over or obtains property of another person
5 intending to deprive that person of it or appropriate it. Theft includes the acts described in this section, as well as those
6 described in §§ 841A-846 of this title.

7 (b) A person is guilty of theft if the person, in any capacity, legally receives, takes, exercises control over or
8 obtains property of another which is the subject of theft, and fraudulently converts same to the person's own use.

9 (c)(1) Except where a victim is 62 years of age or older, or an "adult who is impaired" as defined in § 3902(2) of
10 Title 31, or a "person with a disability" as defined in § 3901(a)(2) of Title 12, or a veteran of The United States Armed
11 Forces, theft is a class A misdemeanor unless the value of the property received, retained or disposed of is \$1,500 or more,
12 in which case it is a class G felony.

13 (2) Where a victim is 62 years of age or older, or an "adult who is impaired" as defined in § 3902(2) of Title
14 31, or a "person with a disability" as defined in § 3901(a)(2) of Title 12, or a veteran of The United States Armed
15 Forces, theft is a class G felony unless the value of the property received, retained or disposed of is \$1,500 or more, in
16 which case it is a class F felony.

17 (3) Notwithstanding paragraphs (c)(1) and (2) of this section:

18 a. Where the value of the property received, retained or disposed of is more than \$50,000 but less than
19 \$100,000, theft is a class D felony;

20 b. Where the value of the property received, retained or disposed of is \$100,000 or more, theft is a class B
21 felony.

22 (d) Upon conviction, the sentencing judge shall require full restitution to the victim for any monetary losses
23 suffered and shall consider the imposition of community service and/or an appropriate curfew for a minor.

SYNOPSIS

This act enhances the penalty for Theft when the victim is a veteran of the United States Armed Forces.

Author: Senator Lopez