



SPONSOR: Sen. Walsh & Rep. K. Williams  
Sen. Townsend; Reps. Carson, Chukwuocha, K. Johnson

DELAWARE STATE SENATE  
152nd GENERAL ASSEMBLY

SENATE BILL NO. 104

AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO THEFT.

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

1           Section 1. Amend Chapter 5, Title 11 of the Delaware Code by making deletions as shown by strike through and  
2     insertions as shown by underline as follows:

3           §841F. Theft of a catalytic converter; class A misdemeanor; class G felony; class F felony; class D felony; class B  
4     felony.

5           (a) A person is guilty of theft of a catalytic converter when a person takes, exercises control over or obtains a  
6     catalytic converter or parts of a catalytic converter of another person intending to deprive that person of it or appropriate it.

7           (b) (1) Except where a victim is 62 years of age or older, or an “adult who is impaired” as defined in § 3902(2) of  
8     Title 31, or a “person with a disability” as defined in § 3901(a)(2) of Title 12, theft of a catalytic converter is a class A  
9     misdemeanor unless the value of the property received, retained or disposed of is \$1,500 or more, in which case it is a class  
10    G felony. If the defendant has been convicted of theft of a catalytic converter within the previous 5 years, theft of a catalytic  
11    converter is a class G felony even if the value of the property is less than \$1,500.

12           (2) Where a victim is 62 years of age or older, or an “adult who is impaired” as defined in § 3902(2) of Title  
13    31, or a “person with a disability” as defined in § 3901(a)(2) of Title 12, theft of a catalytic converter is a class G felony  
14    unless the value of the property received, retained or disposed of is \$1,500 or more, in which case it is a class F felony. If  
15    the defendant has been convicted of theft of a catalytic converter within the previous 5 years, theft of a catalytic converter is  
16    a class F felony even if the value of the property is less than \$1,500.

17           (3) Notwithstanding paragraphs (b)(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 of a catalytic converter is a class D felony.

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

- 22 (c) 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.

#### SYNOPSIS

This Act creates a separate offense for theft of a catalytic converter. A first offense of catalytic converter theft is a class A misdemeanor unless the value of the stolen property is \$1,500 or more, in which case it is a class G felony. A second offense of theft of a catalytic converter within the previous 5 years is a class G felony, regardless of the value of the stolen property.

Where a victim is 62 years of age or older, an adult who is impaired, or a person with a disability, a first offense of theft of a catalytic converter is a class G felony unless the value of the stolen property is \$1,500 or more, in which case it is a class F felony. A second offense of theft of a catalytic converter within the previous 5 years is a class F felony, regardless of the value of the stolen property.

Author: Senator Walsh