

2022 -- S 2534

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LC004967  
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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2022

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A N A C T

RELATING TO CRIMINAL OFFENSES -- THEFT, EMBEZZLEMENT, FALSE  
PRETENSES, AND MISAPPROPRIATION

Introduced By: Senators Rogers, de la Cruz, Paolino, and Algieri

Date Introduced: March 01, 2022

Referred To: Senate Judiciary

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 11-41-2 of the General Laws in Chapter 11-41 entitled "Theft,  
2 Embezzlement, False Pretenses, and Misappropriation" is hereby amended to read as follows:

3 **11-41-2. Receiving stolen goods.**

4 (a) Every person who shall fraudulently receive any stolen money, goods, securities,  
5 chattels, or other property, knowing it to be stolen, shall be deemed guilty of larceny, although the  
6 person who stole the property may not have been prosecuted or convicted for it. The possession of  
7 any stolen property shall be evidence of guilty knowledge by the person having possession that the  
8 property was stolen, unless the person shows that it was acquired in the due course of trade and for  
9 adequate consideration.

10 (b) The possession of a used catalytic converter shall be evidence of guilty knowledge by  
11 the person having possession that the catalytic converter was stolen, unless that person shows  
12 ownership of the vehicle from which it was removed, or that it was acquired from a salvage yard,  
13 muffler shop or an automotive or truck repair shop for adequate consideration.

14 (c) Subsection (b) of this section shall not apply to a salvage yard operator, muffler shop  
15 or an automotive and/or truck repair shop or to an individual who possesses a license pursuant to §  
16 6-11.1-1, who is engaged in the business of buying or receiving for the purpose of selling: gold,  
17 silver, platinum group metals, or precious stones, or any articles containing those items, including  
18 catalytic converters.

1           (d) The word "catalytic converter" when used in this section shall be defined as an air  
2 pollution abatement device, including the contents therein, that removes pollutants from motor  
3 vehicle exhaust, either by oxidizing them into carbon dioxide and water or reducing them to  
4 nitrogen.

5           (e) Every person who shall violate the provisions of subsection (b) of this section shall be  
6 guilty of a misdemeanor and shall be fined not more than five hundred dollars (\$500) or imprisoned  
7 for not more than one year, or both.

8           (f) If the value of the property possessed in violation of subsection (b) of this section  
9 exceeds one thousand dollars (\$1,000), a person convicted of a violation shall be fined not more  
10 than two thousand five hundred dollars (\$2,500) or imprisoned for not more than three (3) years or  
11 both.

12           SECTION 2. This act shall take effect upon passage.

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EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF

A N A C T

RELATING TO CRIMINAL OFFENSES -- THEFT, EMBEZZLEMENT, FALSE  
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- 1           This act would allow the possession of a used catalytic converter to be used as evidence of
- 2           guilt that said catalytic converter was stolen.
- 3           This act would take effect upon passage.

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