

2014 -- H 7619 SUBSTITUTE A

LC004453/SUB A

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2014

A N A C T

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

Introduced By: Representatives Azzinaro, Corvese, Edwards, Malik, and Kennedy

Date Introduced: February 26, 2014

Referred To: House Judiciary

(Attorney General)

It is enacted by the General Assembly as follows:

1 SECTION 1. Chapter 11-41 of the General Laws entitled "Theft, Embezzlement, False
2 Pretenses, and Misappropriation" is hereby amended by adding thereto the following section:

3 **11-41-33. Larceny of farm products. -- (a) Definitions. - As used in this section:**

4 (1) "Farm product" means goods used in a farming operation, including, but not limited
5 to:

6 (i) Crops grown, growing, or to be grown, including, but not limited to, crops produced
7 on trees, vines, and bushes, aquatic goods produced in aquacultural operations, and horticultural
8 and forestry products;

9 (ii) Livestock, born or unborn, including aquatic goods produced in aquacultural
10 operations;

11 (iii) Supplies used or produced in a farming operation; or

12 (iv) Products of crops or livestock in their unmanufactured states.

13 (2) "Farming operation" means the commercial raising, cultivating, propagating,
14 fattening, grazing, or any other farming, livestock, or aquacultural, horticultural or forestry
15 operation, whereby the operation is eligible to be classified as a farm pursuant to the provisions of
16 chapter 27 of title 44.

17 (3) "Value" means credible evidence that establishes the worth of the farm product on the
18 day of the theft in comparison with a farm product of the same variety and weight.

1 (b) It shall be unlawful for any person to steal a farm product that is the property of a
2 farming operation, from the farm itself, or the place where the farm product is sold.

3 (c) Any person found in violation of this section shall be guilty of a felony if the
4 wholesale value of the farm product is two hundred and fifty dollars (\$250) or more, and, upon
5 conviction, shall be subject to imprisonment of not more than five (5) years, a fine of not more
6 than five thousand dollars (\$5,000), or both.

7 (d) Any person found in violation of this section shall be guilty of a misdemeanor if the
8 wholesale value of the farm product is less than two hundred and fifty dollars (\$250) and, upon
9 conviction, shall be subject to imprisonment of no more than one year, a fine of not more than
10 one thousand dollars (\$1,000), or both.

11 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 PRETENSES
AND MISAPPROPRIATION

1 This act would make it unlawful for any person to steal a farm product that is the
2 property of a farming operation, from the farm itself, or the place where the farm product is sold.
3 This act would also impose penalties for any person found in violation of this section, depending
4 on whether or not the value of the farm product is more or less than two hundred and fifty dollars
5 (\$250).

6 This act would take effect upon passage.

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LC004453/SUB A
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