

ASSEMBLY BILL NO. 162—ASSEMBLYMEN BROWN, OCEGUERA, CEGAVSKE,
ANGLE, BACHE, BROWER, CARPENTER, LEE, MARVEL,
MORTENSON AND VON TOBEL

FEBRUARY 15, 2001

JOINT SPONSORS: SENATORS RAWSON, PORTER AND O'CONNELL

Referred to Committee on Judiciary

SUMMARY—Makes various changes to provisions governing theft. (BDR 15-900)

FISCAL NOTE: Effect on Local Government: Yes.
Effect on the State: Yes.

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EXPLANATION – Matter in ***bolded italics*** is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to crimes against property; revising the provisions governing actions which constitute theft to include the theft of parts, products or other items related to certain services and to include theft of gasoline or other fuel or automotive products; providing a penalty; and providing other matters properly relating thereto.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

- 1 **Section 1.** NRS 205.0832 is hereby amended to read as follows:
2 205.0832 A person commits theft if, without lawful authority, he
3 knowingly:
4 1. Controls any property of another person with the intent to deprive
5 that person of the property.
6 2. Converts, makes an unauthorized transfer of an interest in, or
7 without authorization controls any property of another person, or uses the
8 services or property of another person entrusted to him or placed in his
9 possession for a limited, authorized period of determined or prescribed
10 duration or for a limited use.
11 3. Obtains real, personal or intangible property or the services of
12 another person by a material misrepresentation with intent to deprive that
13 person of the property or services. As used in this subsection, “material
14 misrepresentation” means the use of any pretense, or the making of any
15 promise, representation or statement of present, past or future fact which is
16 fraudulent and which, when used or made, is instrumental in causing the



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1 wrongful control or transfer of property or services. The pretense may be
2 verbal or it may be a physical act.

3 4. Comes into control of lost, mislaid or misdelivered property of
4 another person under circumstances providing means of inquiry as to the
5 true owner and appropriates that property to his own use or that of another
6 person without reasonable efforts to notify the true owner.

7 5. Controls property of another person knowing or having reason to
8 know that the property was stolen.

9 6. Obtains services *or parts, products or other items related to such*
10 *services* which he knows are available only for compensation without
11 paying or agreeing to pay compensation or diverts the services of another
12 person to his own benefit or that of another person without lawful authority
13 to do so.

14 7. Takes, destroys, conceals or disposes of property in which another
15 person has a security interest, with intent to defraud that person.

16 8. Commits any act that is declared to be theft by a specific statute.

17 9. Draws or passes a check, and in exchange obtains property or
18 services, if he knows that the check will not be paid when presented.

19 *10. Obtains gasoline or other fuel or automotive products which is*
20 *available only for compensation without paying or agreeing to pay*
21 *compensation.*

22 **Sec. 2.** The amendatory provisions of this act do not apply to offenses
23 committed before October 1, 2001.

