

ASSEMBLY BILL NO. 375—COMMITTEE ON COMMERCE AND LABOR

MARCH 15, 2001

Referred to Committee on Commerce and Labor

SUMMARY—Enacts provisions governing possession, use, manufacture and distribution of certain items employed to commit theft. (BDR 52-1462)

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; enacting provisions governing the possession, use, manufacture or distribution of certain items employed to commit theft; providing penalties; 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.** Chapter 597 of NRS is hereby amended by adding thereto a
2 new section to read as follows:
3 ***1. A person shall not knowingly, with the intent to cheat or defraud a***
4 ***retailer:***
5 ***(a) Possess, use, utter, transfer, make, alter, counterfeit or reproduce***
6 ***a retail sales receipt or a universal price code label; or***
7 ***(b) Possess a device that manufactures fraudulent retail sales receipts***
8 ***or universal price code labels.***
9 ***2. Unless a greater penalty is imposed by a specific statute and except***
10 ***as otherwise provided in subsection 3, a person who violates the***
11 ***provisions of paragraph (a) of subsection 1 is guilty of a category E***
12 ***felony and shall be punished as provided in NRS 193.130.***
13 ***3. Unless a greater penalty is imposed by a specific statute, a person***
14 ***who violates the provisions of paragraph (a) of subsection 1 and who***
15 ***possesses 15 or more fraudulent retail sales receipts or universal price***
16 ***code labels is guilty of a category D felony and shall be punished as***
17 ***provided in NRS 193.130.***
18 ***4. Unless a greater penalty is imposed by a specific statute, a person***
19 ***who violates the provisions of paragraph (b) of subsection 1 is guilty of a***
20 ***category D felony and shall be punished as provided in NRS 193.130.***



1 **Sec. 2.** Chapter 205 of NRS is hereby amended by adding thereto a
2 new section to read as follows:
3 1. *A person shall not knowingly, with the intent to commit, aid or*
4 *abet a theft, possess any theft detection shielding device or theft detection*
5 *device deactivator.*
6 2. *A person shall not knowingly, with the intent to commit, aid or*
7 *abet a theft, manufacture, sell or distribute any theft detection shielding*
8 *device or theft detection device deactivator.*
9 3. *A person who violates any provision of this section is guilty of a*
10 *category C felony and shall be punished as provided in NRS 193.130.*
11 4. *As used in this section:*
12 (a) *"Theft detection device deactivator" includes, without limitation,*
13 *any tool or device designed to allow, or capable of allowing, the*
14 *deactivation or removal of a theft detection device from any merchandise.*
15 (b) *"Theft detection shielding device" includes, without limitation, any*
16 *laminated or coated bag or device intended to shield merchandise from*
17 *detection by an electronic or magnetic theft detector.*
18 **Sec. 3.** The amendatory provisions of this act do not apply to offenses
19 committed before October 1, 2001.

