

1 **As Amended by House Committee**

2 *Session of 2001*

3
4 **HOUSE BILL No. 2079**

5
6 By Committee on Judiciary

7
8 1-19

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10 AN ACT concerning crimes and punishment; relating to theft; amending
11 K.S.A. 21-3701 and repealing the existing section.

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13 *Be it enacted by the Legislature of the State of Kansas:*

14 Section 1. K.S.A. 21-3701 is hereby amended to read as follows: 21-
15 3701. (a) Theft is any of the following acts done with intent to deprive
16 the owner permanently of the possession, use or benefit of the owner's
17 property:

18 (1) Obtaining or exerting unauthorized control over property;
19 (2) obtaining by deception control over property;
20 (3) obtaining by threat control over property; or
21 (4) obtaining control over stolen property knowing the property to
22 have been stolen by another.

23 (b) (1) Theft of property of the value of \$25,000 or more is a severity
24 level 7, nonperson felony.

25 (2) Theft of property of the value of at least \$500 but less than
26 \$25,000 ~~or theft~~ **is a severity level 9, nonperson felony.**

27 **(3) Theft of property regardless of the value from three separate mer-**
28 **cantile establishments within a period of 72 hours as part of the same**
29 **act or transaction or in two or more acts or transactions connected to-**
30 **gether or constituting parts of a common scheme or course of conduct is**
31 a severity level 9, nonperson felony.

32 ~~(3)~~ **(4)** Theft of property of the value of less than \$500 is a class A
33 nonperson misdemeanor.

34 ~~(4)~~ **(5)** Theft of property of the value of less than \$500 is a severity
35 level 9, nonperson felony if committed by a person who has, within five
36 years immediately preceding commission of the crime, been convicted of
37 theft two or more times.

38 Sec. 2. K.S.A. 21-3701 is hereby repealed.

39 Sec. 3. This act shall take effect and be in force from and after its
40 publication in the statute book.

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