

Session 114 - (2001-2002)

S 0755 General Bill, By Wilson

Summary: Theft detection shielding device unlawful; Shoplifting, universal product code label; Crimes, Offenses, Consumer Affairs

A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 16-13-135 SO AS TO PROVIDE FOR THE OFFENSES OF AND PENALTIES FOR DISTRIBUTION OF A THEFT DETECTION SHIELDING DEVICE, UNLAWFUL POSSESSION OF A THEFT DETECTION SHIELDING DEVICE, UNLAWFUL POSSESSION OF A THEFT DETECTION DEVICE DEACTIVATOR OR REMOVER, UNLAWFUL DISTRIBUTION OF A THEFT DEVICE DEACTIVATOR OR REMOVER, UNLAWFUL DEACTIVATION OR REMOVAL OF A THEFT DETECTION DEVICE, AND TO ALLOW AN OWNER, OPERATOR, OR EMPLOYEE OF A MERCANTILE ESTABLISHMENT TO DETAIN A PERSON WHO UNLAWFULLY ACTIVATES A THEFT DETECTION DEVICE UNDER CERTAIN CIRCUMSTANCES; TO AMEND SECTION 16-13-105, RELATING TO DEFINITIONS RELATING TO THE CRIME OF SHOPLIFTING, SO AS TO PROVIDE A DEFINITION FOR "CRIMINAL EPISODE", "THEFT DETECTION DEVICE", AND "UNIVERSAL PRODUCT CODE"; TO AMEND SECTION 16-13-110, AS AMENDED, RELATING TO SHOPLIFTING, SO AS TO REVISE THE CIRCUMSTANCES FOR WHICH A PERSON IS GUILTY OF SHOPLIFTING TO INCLUDE ALTERING, TRANSFERRING, OR REMOVING A UNIVERSAL PRODUCT CODE AFFIXED TO ANY MERCHANDISE, AND POSSESSING, USING, UTTERING, MAKING, ALTERING, COUNTERFEITING, OR REPRODUCING A UNIVERSAL PRODUCT CODE LABEL WITH THE INTENT TO CHEAT OR DEFRAUD A RETAILER, TO PROVIDE THAT A PERSON COMMITS A FELONY IF THE MERCHANDISE HE SHOPLIFTS COMES FROM THREE MERCANTILE ESTABLISHMENTS DURING A CRIMINAL EPISODE, OR IF HE POSSESSES AT LEAST FIFTEEN FRAUDULENT RETAIL SALES RECEIPTS, UNIVERSAL PRODUCT CODE LABELS, OR A DEVICE WITH INTENT TO MANUFACTURE FRAUDULENT RETAIL SALES RECEIPTS OR UNIVERSAL PRODUCT CODE LABELS UNDER CERTAIN CIRCUMSTANCES, AND TO PROVIDE THAT A PERSON COMMITS A MISDEMEANOR IF HE USES, UTTERS, TRANSFERS, MAKES, COUNTERFEITS, OR REPRODUCES A UNIVERSAL PRODUCT CODE LABEL UNDER CERTAIN CIRCUMSTANCES.

06/07/01 Senate Introduced and read first time SJ-8

06/07/01 Senate Referred to Committee on Judiciary SJ-8