

MAINE STATE LEGISLATURE

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120th MAINE LEGISLATURE

FIRST REGULAR SESSION-2001

Legislative Document

No. 233

S.P. 62

In Senate, January 23, 2001

An Act to Criminalize the Possession of Theft Tools.

Reference to the Committee on Criminal Justice suggested and ordered printed.

A handwritten signature in cursive script, reading "Joy J. O'Brien".

JOY J. O'BRIEN
Secretary of the Senate

Presented by Senator DAVIS of Piscataquis.
Cosponsored by Representative CARR of Lincoln and
Senators: CARPENTER of York, FERGUSON of Oxford, SHOREY of Washington,
Representatives: BUCK of Yarmouth, JONES of Greenville, KASPRZAK of Newport,
SCHNEIDER of Durham, TRACY of Rome.

2 **Be it enacted by the People of the State of Maine as follows:**

4 **Sec. 1. 17-A MRSA §363 is enacted to read:**

6 **§363. Possession or transfer of theft tools**

8 1. A person is guilty of possession or transfer of theft tools if that person:

10 A. Possesses or makes any tool, implement, instrument or
12 other article that is adapted, designed or commonly used for
14 advancing or facilitating crimes involving theft of
16 property, including, but not limited to, a theft detection
 shielding device or a theft detection device deactivator or
 remover, with intent to use such tool, implement, instrument
 or other article to commit any such criminal offense; or

18 B. Transfers or possesses with the intent to transfer any
20 device described in paragraph A that that person knows is
22 designed or primarily useful for the commission of a crime
 described in paragraph A.

24 2. Possession or transfer of theft tools in violation of
26 subsection 1, paragraph B is a Class D crime. Possession or
 transfer of theft tools in violation of subsection 1, paragraph A
 is a Class E crime.

28 **SUMMARY**

30 This bill prohibits the possession or transfer of tools used
32 to commit theft. It is based on the laws in this State that
34 prohibit the possession or transfer of tools used to commit
 burglary.