

No. 1977-49

## AN ACT

SB 201

Amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, adding the offense of theft of leased property.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1. Title 18, act of November 25, 1970 (P.L.707, No.230), known as the Pennsylvania Consolidated Statutes, is amended by adding a section to read:

**§ 3932. Theft of leased property.**

*(a) Offense defined.—A person who obtains personal property under an agreement for the lease or rental of the property is guilty of theft if he intentionally deals with the property as his own.*

*(b) Definition.—As used in this section, a person “deals with the property as his own” if he sells, secretes, destroys, converts to his own use or otherwise disposes of the property.*

*(c) Presumption.—A person shall be prima facie presumed to have intent if he:*

*(1) signs the lease or rental agreement with a name other than his own and fails to return the property within the time specified in the agreement; or*

*(2) fails to return the property to its owner within seven days after a written demand to return the property is delivered by registered or certified mail to the person's last known address.*

*(d) Exception.—This section shall not apply to secured transactions as defined in the act of April 6, 1953 (P.L.3, No.1), known as the “Uniform Commercial Code.”*

Section 2. This act shall take effect in 90 days.

APPROVED—The 8th day of August, A. D. 1977.

MILTON J. SHAPP