

2026 -- S 3167

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2026

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A N A C T

RELATING TO CRIMINAL OFFENSES -- THEFT, EMBEZZLEMENT, FALSE  
PRETENSES, AND MISAPPROPRIATION

Introduced By: Senators Patalano, Raptakis, Thompson, LaMountain, Appollonio,  
Famiglietti, Dimitri, Burke, and Paolino

Date Introduced: March 27, 2026

Referred To: Senate Judiciary

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 11-41-20 of the General Laws in Chapter 11-41 entitled "Theft,  
2 Embezzlement, False Pretenses, and Misappropriation" is hereby amended to read as follows:

3 **11-41-20. Shoplifting.**

4 (a) For the purpose of this section:

5 (1) "Conceal" means to place merchandise in such a manner that it is not visible through  
6 ordinary observation.

7 (2) "Full retail value" means the merchant's stated price of the merchandise.

8 (3) "Merchandise" means any items of tangible personal property offered for sale within a  
9 retail mercantile establishment.

10 (4) "Merchant" means an owner or operator of any retail mercantile establishment or any  
11 agent, employee, lessee, officer, or director of the owner or operator.

12 (5) "Premises of a retail mercantile establishment" includes the retail mercantile  
13 establishment, and common use areas in shopping centers, and all parking areas set aside by a  
14 merchant or on behalf of a merchant for the parking of vehicles for the convenience of the patrons  
15 of the retail mercantile establishment.

16 (6) "Retail mercantile establishment" means any place where merchandise is displayed,  
17 held, stored or offered for sale to the public.

18 (7) "Shopping cart" means those push carts of the type or types which are commonly

1 provided by grocery stores, drug stores, or other retail mercantile establishments for the use of the  
2 public in transporting commodities on or from the premises of the retail mercantile establishment.

3 (b) Whoever shall engage in the following shall be guilty of the crime of shoplifting:

4 (1) Take possession of, carry away, transfer or cause to be carried away or transferred any  
5 merchandise displayed, held, stored, or offered for sale by a retail mercantile establishment with  
6 the intention of depriving the merchant of all or any part of the full retail value of the merchandise;

7 (2) Alter, transfer, or remove a label, price tag, marking, indicia of value or any other  
8 markings which aid in determining value affixed to any merchandise displayed, held, stored or  
9 offered for sale in a retail mercantile establishment and attempt to purchase or purchase the  
10 merchandise personally or in consort with another at less than the full retail value with the intention  
11 of depriving the merchant of all or any part of the full retail value of such merchandise;

12 (3) Transfer any merchandise displayed, held, stored or offered for sale in a retail  
13 mercantile establishment from one container to another in an attempt to purchase or purchase the  
14 merchandise personally or in consort with another at less than the full retail value with the intention  
15 of depriving the merchant of all or any part of the full retail value of the merchandise; or

16 (4) Remove a shopping cart from the premises of a retail mercantile establishment without  
17 the consent of the merchant given at the time of the removal with the intention of depriving the  
18 merchant of the possession, use, or benefit of the cart.

19 (c) The fact that a person conceals upon his person, among his or her belongings, or upon  
20 the person or among the belongings of another merchandise displayed, held, stored or offered for  
21 sale in a retail mercantile establishment, for which he or she has not paid the full retail value, and  
22 the merchandise has been taken beyond the area within the retail mercantile establishment where  
23 payment for it is to be made, shall be prima facie evidence that the person has possessed, carried  
24 away, or transferred the merchandise with the intention of depriving the merchant of all or part of  
25 the full retail value of the merchandise without paying the full retail value of the merchandise.

26 (d) Any person convicted of the crime of shoplifting shall be punished as follows:

27 (1) If the item or items shoplifted are of a value less than one thousand five hundred dollars  
28 (\$1,500), the person shall be guilty of a misdemeanor and shall be punished by a fine of not less  
29 than fifty dollars (\$50.00) or two times the full retail value of the merchandise, whichever is greater,  
30 but not more than five hundred dollars (\$500), or by imprisonment for not more than one year, or  
31 both; provided, any person convicted of the crime of shoplifting merchandise with a retail value of  
32 over one hundred dollars (\$100) who has previously been convicted of shoplifting shall be guilty  
33 of a felony and shall be punished by a fine of not more than five thousand dollars (\$5,000), or by  
34 imprisonment of not more than five (5) years, or both.

1           (2) If the value exceeds one thousand five hundred dollars (\$1,500), but is less than five  
2 thousand dollars (\$5,000), by imprisonment for not more than three (3) years or by a fine of not  
3 more than one thousand five hundred dollars (\$1,500), or both;

4           (3) If the value exceeds five thousand dollars (\$5,000), but is less than ten thousand dollars  
5 (\$10,000), by imprisonment for not more than six (6) years or by a fine of not more than three  
6 thousand dollars (\$3,000), or both; and

7           (4) If the value exceeds ten thousand dollars (\$10,000), the person shall be punished by  
8 imprisonment for not more than ten (10) years or by a fine of not more than five thousand dollars  
9 (\$5,000), or both.

10           SECTION 2. This act shall take effect upon passage.

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EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF

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RELATING TO CRIMINAL OFFENSES -- THEFT, EMBEZZLEMENT, FALSE  
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1           This act would provide that any person convicted of shoplifting any item valued at less  
2 than one thousand five hundred dollars (\$1,500) would be guilty of a misdemeanor and any  
3 subsequent offense would be punished as a felony. Any offense involving items valued at more  
4 than one thousand five hundred dollars (\$1,500) would carry enhanced penalties.

5           This act would take effect upon passage.

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