

2022 -- S 2776

LC005068

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2022

A N A C T

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

Introduced By: Senator F Lombardi

Date Introduced: March 24, 2022

Referred To: Senate Judiciary

(Judiciary)

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 11-41-12 of the General Laws in Chapter 11-41 entitled "Theft,
2 Embezzlement, False Pretenses, and Misappropriation" is hereby amended to read as follows:

3 **11-41-12. Fraudulent conversion by agent or factor.**

4 Every agent or factor who shall deposit or pledge any goods, wares, or merchandise or any
5 bill of lading, receipt, or certificate of a warehouse keeper or inspector, or any warrant or order for
6 the delivery of goods with which he or she shall have been entrusted, or which shall have been
7 consigned to him or her as a security for any money or other property borrowed or received by the
8 agent or factor, and shall apply or dispose of the proceeds to his or her own use, in violation of
9 good faith, and with intent to defraud any owner of the goods, shall be deemed and taken to be
10 guilty of a ~~misdemeanor~~ [felony](#) and shall be fined not exceeding one thousand dollars (\$1,000) or
11 be imprisoned not exceeding five (5) years.

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

LC005068

EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

A N A C T

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

- 1 This act would correct the erroneous misdemeanor classification of the criminal offense of
- 2 fraudulent conversion by agent or factor.
- 3 This act would take effect upon passage.

=====
LC005068
=====