Overview

This bill includes issuance of a dishonored check to a landlord within the definition of theft. A dishonored check is a check that, at the time of issuance, the issuer intends not to be paid.

1 Definitions. Amends the definition of "services" within the theft law to include rental services.

2 Acts constituting theft. Current law provides that a person commits theft by obtaining for the actor or another the possession, custody, or title to property of or performance of services by a third person by intentionally deceiving the third person with a false representation which is known to be false, made with intent to defraud, and which does defraud the person to whom it is made. The definition of false representation includes the issuance of a check draft, or order for payment of money, except a forged check, or the delivery of property knowing that the actor is not entitled to draw upon the drawee therefore or to order the payment or delivery thereof.

This bill expressly includes issuance of a dishonored check as defined in section 609.535 within the definition of false representation for the purpose of this theft provision. Under section 609.535, a dishonored check is one that, at the time of issuance, the issuer intends shall not be paid.

3 Effective date. August 1, 1999, for crimes committed on or after that date.