
OLR Bill Analysis

HB 5563

AN ACT CONCERNING VARIOUS CRIMINAL LAW PROPOSALS.

SUMMARY

This bill expands the crime of organized retail theft by lengthening the time period, from 180 to 365 days, within which a person must reach the crime's \$2,000 threshold. It also specifies that a person is guilty of being an accessory to organized retail theft by using certain online and electronic tools to receive, control, and dispose of the stolen property.

The bill also establishes two new crimes as forms of larceny: (1) fostering the sale of stolen property and (2) gift card crimes, such as altering or tampering with a gift card.

The bill increases the maximum civil liability for punitive damages, from \$300 to \$1,000, for shoplifting certain goods or merchandise from a store or agricultural produce from real property. In cases where the plaintiff loses, the bill eliminates the court's ability to award defendants up to \$300 in damages but continues to allow the court to award them costs and reasonable attorney's fees.

Unrelatedly, the bill adds an authorized Department of Children and Families (DCF) representative to the existing list of people and entities that the Department of Public Health (DPH) may give information to about an acknowledgement of parentage. But the information may only be given when it is requested for work on a matter pending in Superior Court for juvenile matters and the child's parentage is outstanding. By law, DPH keeps a parentage registry of completed acknowledgement of parentage forms. Examples of others to whom the law authorizes release of this information are a court, a federal agency, an authorized representative of the Department of Social Services, or a child support agency.

Lastly, the bill makes technical and conforming changes.

EFFECTIVE DATE: October 1, 2026

ORGANIZED RETAIL THEFT

Currently, a person commits organized retail theft when, for financial gain, he or she works with at least one other person to shoplift retail property that has an aggregate value of more than \$2,000 and (1) does it within a specified time frame and (2) sells, delivers, or otherwise transfers it to a retail property fence. A fence is a buyer of retail property that he or she knows or should know is stolen with the intent to unlawfully distribute it or to promote, manage, carry on, or facilitate organized retail theft.

The bill lengthens, from 180 to 365 days, the time period within which the person must shoplift the property to be guilty of organized retail theft.

Under existing law, a person is an accessory to organized retail theft if he or she receives, possesses, conceals, stores, barter, sells, or otherwise disposes of the stolen property intending to (1) distribute the proceeds or (2) promote, manage, carry on, or facilitate organized retail theft. The bill specifies this includes doing so through an online platform, Internet website, or electronic device.

By law, organized retail theft and accessory to organized theft are both class D felonies (punishable by up to five years in prison, up to a \$5,000 fine, or both). But if the financial benefit is \$10,000 or more, then it is a class C felony (punishable by up to 10 years in prison, up to a \$10,000 fine, or both).

FOSTERING THE SALE OF STOLEN PROPERTY

The bill establishes the crime of “fostering the sale of stolen property” as a form of larceny (see BACKGROUND). A person is guilty of this new crime when he or she (1) hosts, advertises, or otherwise helps sell stolen property, including through an online platform, and (2) knows or believes that the property was stolen. This crime does not apply if the property is received, retained, or disposed of in order to give it back to

the owner.

GIFT CARD CRIME

The bill establishes “gift card crime” as a new form of larceny (see BACKGROUND). A person is guilty of this crime when, with intent to defraud, the person:

1. acquires or keeps a gift card or gift card redemption information without the consent of the cardholder or the gift card’s issuer or seller;
2. alters or tampers with a gift card; or
3. devises a scheme to get a gift card or gift card information from a cardholder or gift card issuer or seller by false or fraudulent pretenses, representations, or promises.

Under the bill, gift cards are physical or digital, closed-loop or open-loop gift cards that are activated or inactivated. Closed-loop gift cards are cards, codes, or devices on which consumers prepay a specified amount, but can only redeem at the specific merchant or group of affiliated merchants who issued it. Open-loop gift cards are redeemable at multiple unaffiliated merchants within a payment card network (Visa, for example).

LIABILITY FOR SHOPLIFTING

The bill increases the maximum civil liability for punitive damages, from \$300 to \$1,000, for an adult or emancipated minor who shoplifts, without the owner’s consent and with the intent of not paying for them or altering their price, (1) goods or merchandise a store displays or (2) certain agricultural produce.

As under existing law, the person taking the goods or merchandise is also liable for the actual and reasonable costs of (1) maintaining the civil action, including court costs and reasonable attorney’s fees, and (2) the retail value of the goods, merchandise, or produce taken. Additionally, a larceny criminal conviction is not needed to maintain this civil action, but all actions must be brought within two years of the initial complaint.

The bill also eliminates the court's ability to award damages of up to \$300 to the defendant if the plaintiff loses. But as under existing law, the court may award the defendant costs and reasonable attorney's fees.

BACKGROUND

Related Bill

HB 5268 (File 12), favorably reported by the Committee on Children, also authorizes DPH to release to DCF information about an acknowledgement of parentage.

Larceny

By law, the punishment for larceny depends on the value of the property taken, generally ranging from a class C misdemeanor (punishable by up to three months in prison, up to a \$500 fine, or both) when the property value is up to \$500, to a class B felony (punishable by up to 20 years in prison, up to a \$15,000 fine, or both) when the property value exceeds \$20,000 (CGS §§ 53a-122 to -125b).

COMMITTEE ACTION

Judiciary Committee

Joint Favorable

Yea 37 Nay 0 (03/24/2026)