

RS.2A:139-1

LEGISLATIVE FACT SHEET

ON *Buying or receiving stolen property
valued over \$200.*

N.J.R.S. 2A:139-1

(1972 Amendment)

LAWS OF 1972

CHAPTER 160 9/27

SENATE 974

ASSEMBLY

INTRODUCED *May 4*

BY *Dodd and others*

STATEMENT

YES

NO

AMENDED DURING PASSAGE

YES

NO

HEARING *none found*

VETO *no*

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SENATE, No. 974

STATE OF NEW JERSEY

INTRODUCED MAY 4, 1972.

By Senators DODD, BROWN, ITALIANO and BATE

Referred to Committee on Law, Public Safety and Defense

AN ACT concerning the receiving of stolen property and the harboring of thieves, amending N. J. S. 2A:139-1 and supplementing chapter 170 of Title 2A of the New Jersey Statutes.

1 BE IT ENACTED by the Senate and General Assembly of the State
2 of New Jersey:

1 1. N. J. S. 2A:139-1 is amended to read as follows:

2 2A:139-1. Any person who receives or buys any goods or chat-
3 tels, or chases in action, or other thing of value stolen from any
4 other person or taken from him by robbery or otherwise unlaw-
5 fully or fraudulently obtained, or converted contrary to law,
6 whether the stealing or robbery was committed either in or out of
7 this State, and whether the property was received or bought from
8 the thief or robber, or from another person, or who receives, har-
9 bors or conceals any thief or robber knowing him to be so, is guilty
10 of a high misdemeanor *if the price or value of the property received*
11 *or bought is \$500.00 or more, and is guilty of a misdemeanor if the*
12 *price or value of such property is in excess of \$200.00 but less than*
13 *\$500.00.*

14 Possession of such property within 1 year from the date of such
15 stealing, robbery or unlawful or fraudulent obtaining, shall be
16 deemed sufficient evidence to authorize conviction, unless the ac-
17 cused show to the satisfaction of the jury either:

18 a. That the property, considering the relations of the parties
19 thereto and the circumstances thereof, was a gift to him and not
20 received by him from a minor under the age of 16 years; or

21 b. That the amount paid by him for the property represented
22 its fair and reasonable value and that it was not received by him
23 from a minor under the age of 16 years; or

24 c. That when he bought the property he knew or made inquiries
25 sufficient to satisfy a reasonable man, that the seller was in a
26 regular and established business for dealing in property of the
27 description of the property purchased; or

28 d. That when he received or bought the property, he simultane-
29 ously with or before the receipt or sale, reported the transaction
30 to the police authorities of the municipality in which he resided
31 at the time of such receiving or buying and that the property was
32 not received by him from a minor under the age of 16 years; or

33 e. That before he received or bought the property from a minor
34 under the age of 16 years, he first communicated with the police
35 authorities of the municipality in which he resided and obtained
36 their approval for the purchase, barter, exchange or receipt of
37 possession thereof.

1 2. Any person who receives or buys any goods or chattels, or
2 choses in action, or other thing of value stolen from any other
3 person or taken from him by robbery or otherwise unlawfully or
4 fraudulently obtained, or converted contrary to law, whether the
5 stealing or robbery was committed either in or out of this State,
6 and whether the property was received or bought from the thief
7 or robber, or from another person, a disorderly person if the price
8 or value of the property received or bought is \$200.00 or less.

9 Possession of such property within 1 year from the date of such
10 stealing, robbery or unlawful or fraudulent obtaining, shall be
11 deemed sufficient evidence to authorize conviction, unless the ac-
12 cused show to the satisfaction of the jury either:

13 a. That the property, considering the relations of the parties
14 thereto and the circumstances thereof, was a gift to him and not
15 received by him from a minor under the age of 16 years; or

16 b. That the amount paid by him for the property represented
17 its fair and reasonable value and that it was not received by him
18 from a minor under the age of 16 years; or

19 c. That when he bought the property he knew or made inquiries
20 sufficient to satisfy a reasonable man, that the seller was in a regu-
21 lar and established business for dealing in property of the descrip-
22 tion of the property purchased; or

23 d. That when he received or bought the property, he simul-
24 taneously with or before the receipt or sale, reported the transac-
25 tion to the police authorities of the municipality in which he resided
26 at the time of such receiving or buying and that the property was
27 not received by him from a minor under the age of 16 years; or

28 e. That before he received or bought the property from a minor
29 under the age of 16 years, he first communicated with the police
30 authorities of the municipality in which he resided and obtained
31 their approval for the purchase, barter, exchange or receipt of
32 possession thereof.

1 3. This act shall take effect immediately.

SENATE LAW, PUBLIC SAFETY AND
DEFENSE COMMITTEE

STATEMENT TO
SENATE, No. 974

STATE OF NEW JERSEY

DATED: MAY 8, 1972

Under N. J. S. 2A:139-1 it is presently a misdemeanor to receive property valued at less than \$500.00 and a high misdemeanor to receive property valued in excess of \$500.00.

Section one of Senate Bill No. 974 would amend the law by specifying that a misdemeanor would be committed if the value of the property received were more than \$200.00 and less than \$500.00.

Section two of the bill supplements the disorderly persons law by providing that anyone who steals property valued under \$200.00 would be a disorderly person.