

**Adopted
AMENDMENT NO 1 PROPOSED TO**

Senate Bill No. 2135

BY: Senator(s) Sparks, Wiggins

1 **AMEND by striking lines 48 through 57 and inserting in lieu**
2 **thereof the following:**

3 (a) Upon a first shoplifting conviction the defendant
4 shall be guilty of a misdemeanor and fined not more than One
5 Thousand Dollars (\$1,000.00), or punished by imprisonment in the
6 county jail not to exceed six (6) months, or by both, if the court
7 finds * * * the offender cannot be safely and effectively
8 supervised in the community, is not amenable to community-based
9 treatment, or poses a significant risk to public safety. If such
10 a finding is not made, the court shall suspend the sentence of
11 imprisonment and impose a period of probation not exceeding one
12 (1) year or a fine of not more than One Thousand Dollars
13 (\$1,000.00).



14 (b) Upon a second shoplifting conviction the defendant
15 shall be guilty of a misdemeanor and fined not more than Two
16 Thousand Five Hundred Dollars (\$2,500.00) or punished by
17 imprisonment in the county jail for a term not less than
18 forty-eight (48) hours, not to exceed six (6) months, or by both,
19 if the court finds * * * the offender cannot be safely and
20 effectively supervised in the community, is not amenable to
21 community-based treatment, or poses a significant risk to public
22 safety. If such a finding is not made, the court shall suspend
23 the sentence of imprisonment and impose a period of probation not
24 exceeding one (1) year or a fine of not more than One Thousand
25 Dollars (\$1,000.00), or both.

26 **FURTHER, AMEND the title to conform.**

