

COMMITTEE SUBSTITUTE FOR ORDINANCE NO. 120899

Enacting a new Section 50-111.5, Code of Ordinances, entitled "Receiving stolen property" to punish the receipt of stolen property.

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That there is a new Section 50-111.5, Code of Ordinances, enacted to read as follows:

**Sec. 50-111.5. Receiving stolen property.**

(a) A person commits the ordinance violation of receiving stolen property if for the purpose of depriving the owner of a lawful interest therein, he or she receives, retains or disposes of property of another knowing that it has been stolen, or believing that it has been stolen.

(b) Evidence of the following is admissible in any prosecution pursuant to this section to prove the requisite knowledge or belief of the alleged receiver:

- (1) That he or she was found in possession or control of other property stolen on separate occasions from two or more persons;
- (2) That he or she received other stolen property in another transaction within the year preceding the transaction charged;
- (3) That he or she acquired the stolen property for a consideration which he or she knew was far below its reasonable value;
- (4) That he or she obtained control over stolen property knowing the property to have been stolen or under such circumstances as would reasonably induce a person to believe the property was stolen.

(c) For purposes of this section, the following definitions shall apply:

- (1) "Deprive" means:
  - a. To withhold property from the owner permanently; or
  - b. To restore property only upon payment of reward or other compensation; or
  - c. To use or dispose of property in a manner that makes recovery of the property by the owner unlikely.

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- (2) "Receiving" means acquiring possession, control or title or lending on the security of the property.

(d) Any person violating this section shall, upon conviction, be punished by a fine of not more than \$1,000.00, or by imprisonment for a period not to exceed 6 months, or by both such fine and imprisonment.

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Approved as to form and legality:

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William Geary  
City Attorney