

### 13.13

#### **Definition Of Theft By Unauthorized Control Of Property Exceeding \$100,000 In Value**

A person commits the offense of theft of property exceeding \$100,000 in value when that person [ (obtains) (exerts) ] unauthorized control over property exceeding \$100,000 in value and [1] intends to deprive the owner permanently of the use or benefit of the property.

[or]

[2] knowingly [ (uses) (conceals) (abandons) ] the property in such manner as to deprive the owner permanently of its use or benefit.

[or]

[3] [ (uses) (conceals) (abandons) ] the property knowing that such [ (use) (concealment) (abandonment) ] probably will deprive the owner permanently of such use or benefit.

#### **Committee Note**

720 ILCS 5/16-1(a)(1)(A), (B), and (C), and 16-1(b)(6) (West, 1999) (formerly Ill.Rev.Stat. ch. 38, §16-1(a)(1)(A), (B), and (C), and 16-1(b)(6) (1991)).

Give Instruction 13.14.

See Committee Note to Instruction 13.01.

Other definitions may be appropriate. See Instructions 13.33 through 13.33D.

P.A. 85-1030, effective July 1, 1988, amended Section 16-1 to provide that theft of property exceeding \$100,000 in value is a Class 1 felony. See also P.A. 85-1440.

Use applicable paragraphs and bracketed material.

The bracketed numbers are present solely for the guidance of court and counsel and should not be included in the instruction submitted to the jury.