

(2) In the case of a person in the business of buying or selling goods, the knowledge required under this subsection may be inferred if:

- (i) the person possesses or exerts control over property stolen from more than one person on separate occasions;
- (ii) during the year preceding the criminal possession charged, the person has acquired stolen property in a separate transaction; or
- (iii) being in the business of buying or selling property of the sort possessed, the person acquired it for a consideration that the person knew was far below a reasonable value.

(3) In a prosecution for theft by possession of stolen property under this subsection, it is not a defense that:

- (i) the person who stole the property has not been convicted, apprehended, or identified;
- (ii) the defendant stole or participated in the stealing of the property; [or]

~~(III) THE PROPERTY WAS OBTAINED BY MEANS OTHER THAN THE COMMISSION OF THEFT PROVIDED BY LAW ENFORCEMENT AS PART OF AN INVESTIGATION, IF THE PROPERTY WAS EXPLICITLY DESCRIBED TO THE DEFENDANT AS BEING OBTAINED THROUGH THE COMMISSION OF THEFT; OR~~

[(iii)](IV) the stealing of the property did not occur in the State.

(4) Unless the person who criminally possesses stolen property participated in the stealing, the person who criminally possesses stolen property and a person who has stolen the property are not accomplices in theft for the purpose of any rule of evidence requiring corroboration of the testimony of an accomplice.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2008.

Approved by the Governor, May 13, 2008.

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## CHAPTER 394

(House Bill 282)