

TITLE 6: CRIMES AND CRIMINAL PROCEDURE
DIVISION 1: CRIMES AGAINST THE PERSON

§ 1603. Theft by Deception.

(a) A person commits theft if he or she purposely obtains property of another by deception. A person deceives if he or she purposely:

(1) Creates or reinforces a false impression, including false impressions as to law, value, intention, or other state of mind; but deception as to a person's intention to perform a promise shall not be inferred from the fact alone that the person did not subsequently perform the promise; or

(2) Prevents another from acquiring information which would affect his or her judgment of a transaction; or

(3) Fails to correct a false impression which the defendant previously created or reinforced, or which the defendant knows to be influencing another to whom the defendant stands in a fiduciary or confidential relationship; or

(4) Fails to disclose a known lien, adverse claim or other legal impediment to the enjoyment of property which the defendant transfers or encumbers in consideration for the property obtained, whether such impediment is or is not valid, or is or is not a matter of official record.

(b) The term "deceive" does not, however, include falsity as to matters having no pecuniary significance, or exaggerating by statements unlikely to deceive ordinary persons.

Source: PL 3-71, § 1 (§ 433).