

O.C.G.A. § 16-8-3

Current through the 2017 Regular Session of the General Assembly.

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§ 16-8-3. Theft by deception

- (a) A person commits the offense of theft by deception when he obtains property by any deceitful means or artful practice with the intention of depriving the owner of the property.
- (b) A person deceives if he intentionally:
 - (1) Creates or confirms another's impression of an existing fact or past event which is false and which the accused knows or believes to be false;
 - (2) Fails to correct a false impression of an existing fact or past event which he has previously created or confirmed;
 - (3) Prevents another from acquiring information pertinent to the disposition of the property involved;
 - (4) Sells or otherwise transfers or encumbers property intentionally failing to disclose a substantial and valid known lien, adverse claim, or other legal impediment to the enjoyment of the property, whether such impediment is or is not a matter of official record; or
 - (5) Promises performance of services which he does not intend to perform or knows will not be performed. Evidence of failure to perform standing alone shall not be sufficient to authorize a conviction under this subsection.
- (c) "Deceitful means" and "artful practice" do not, however, include falsity as to matters having no pecuniary significance, or exaggeration by statements unlikely to deceive ordinary persons in the group addressed.

History

Code 1933, § 26-1803, enacted by Ga. L. 1968, p. 1249, § 1.