

By Senator Simpson

18-00219-13

2013338

1 A bill to be entitled  
2 An act relating to theft of utility services; amending  
3 s. 812.14, F.S.; providing additional criminal  
4 penalties for utility services wrongfully taken;  
5 providing that the person who unlawfully took utility  
6 services is liable to the utility for an increased  
7 civil penalty subject to the amount of the utility  
8 services unlawfully obtained; providing an effective  
9 date.

10  
11 Be It Enacted by the Legislature of the State of Florida:

12  
13 Section 1. Subsections (4), (7), (8), and (10) of section  
14 812.14, Florida Statutes, are amended to read:

15 812.14 Trespass and larceny with relation to utility  
16 fixtures; theft of utility services.—

17 (4) A ~~Any~~ person who willfully violates paragraph (2) (a),  
18 paragraph (2) (b), or paragraph (2) (c) commits theft ~~a~~  
19 ~~misdemeanor of the first degree~~, punishable as provided in s.  
20 812.014 ~~s. 775.082 or s. 775.083~~.

21 (7) A person who willfully violates subsection (5) commits  
22 a misdemeanor of the first degree, punishable as provided in s.  
23 775.082 or s. 775.083. Prosecution for a violation of subsection  
24 (5) does not preclude prosecution for theft pursuant to ~~under~~  
25 subsection (8) or s. 812.014.

26 (8) Theft of utility services for the purpose of  
27 facilitating the manufacture of a controlled substance is theft  
28 ~~a misdemeanor of the first degree~~, punishable as provided in s.  
29 812.014 ~~s. 775.082 or s. 775.083~~.

18-00219-13

2013338\_\_

30 (10) Whoever is found in a civil action to have violated  
31 ~~the provisions of~~ this section is liable to the utility involved  
32 in an amount equal to 3 times the amount of services unlawfully  
33 obtained or \$3,000 ~~\$1,000~~, whichever is greater.

34 Section 2. This act shall take effect October 1, 2013.