

1 A bill to be entitled
 2 An act relating to retail theft; amending s. 812.015,
 3 F.S.; revising requirements for aggregation of retail
 4 thefts that constitute a higher degree of offense;
 5 amending s. 812.019, F.S.; prohibiting specified acts
 6 involving merchandise or a stored value card obtained
 7 from a fraudulent return; providing penalties;
 8 providing an effective date.

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

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 12 Section 1. Paragraph (b) of subsection (8) of section
 13 812.015, Florida Statutes, is amended, and subsection (9) of
 14 that section is republished, to read:

15 812.015 Retail and farm theft; transit fare evasion;
 16 mandatory fine; alternative punishment; detention and arrest;
 17 exemption from liability for false arrest; resisting arrest;
 18 penalties.—

19 (8) Except as provided in subsection (9), a person who
 20 commits retail theft commits a felony of the third degree,
 21 punishable as provided in s. 775.082, s. 775.083, or s. 775.084,
 22 if the property stolen is valued at \$300 or more, and the
 23 person:

24 (b) Individually, or in concert with one or more other
 25 persons, commits theft of any merchandise from one or more

26 | locations over a 90-day period the aggregate value of which
 27 | exceeds \$1,000 ~~Commits theft from more than one location within~~
 28 | ~~a 48-hour period, in which case the amount of each individual~~
 29 | ~~theft is aggregated to determine the value of the property~~
 30 | ~~stolen;~~

31 | (9) A person commits a felony of the second degree,
 32 | punishable as provided in s. 775.082, s. 775.083, or s. 775.084,
 33 | if the person:

34 | (a) Violates subsection (8) and has previously been
 35 | convicted of a violation of subsection (8); or

36 | (b) Individually, or in concert with one or more other
 37 | persons, coordinates the activities of one or more persons in
 38 | committing the offense of retail theft where the stolen property
 39 | has a value in excess of \$3,000.

40 | Section 2. Subsection (3) is added to section 812.019,
 41 | Florida Statutes, to read:

42 | 812.019 Dealing in stolen property.—

43 | (3) Any person who receives, possesses, or purchases any
 44 | merchandise or stored value card obtained from a fraudulent
 45 | return with the knowledge that the merchandise or stored value
 46 | card was obtained in violation of s. 812.015 commits a felony of
 47 | the third degree, punishable as provided in ss. 775.082,
 48 | 775.083, and 775.084.

49 | Section 3. This act shall take effect July 1, 2018.