



524256

LEGISLATIVE ACTION

Senate

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House

The Committee on Criminal Justice (Bracy) recommended the following:

Senate Amendment

Delete lines 120 - 156
and insert:
or subsequent petit theft offense occurs within 3 years of his
or her most recent theft conviction.

Section 2. Subsections (8) and (9) of section 812.015,
Florida Statutes, are amended to read:

812.015 Retail and farm theft; transit fare evasion;
mandatory fine; alternative punishment; detention and arrest;



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11 exemption from liability for false arrest; resisting arrest;
12 penalties.—

13 (8) Except as provided in subsection (9), a person who
14 commits retail theft commits a felony of the third degree,
15 punishable as provided in s. 775.082, s. 775.083, or s. 775.084,
16 if the property stolen is valued at \$1,500 ~~\$300~~ or more, and the
17 person:

18 (a) Individually, or in concert with one or more other
19 persons, coordinates the activities of one or more individuals
20 in committing the offense, in which case the amount of each
21 individual theft is aggregated to determine the value of the
22 property stolen;

23 (b) Commits theft from more than one location within a 48-
24 hour period, in which case the amount of each individual theft
25 is aggregated to determine the value of the property stolen;

26 (c) Acts in concert with one or more other individuals
27 within one or more establishments to distract the merchant,
28 merchant's employee, or law enforcement officer in order to
29 carry out the offense, or acts in other ways to coordinate
30 efforts to carry out the offense; or

31 (d) Commits the offense through the purchase of merchandise
32 in a package or box that contains merchandise other than, or in
33 addition to, the merchandise purported to be contained in the
34 package or box.

35 (9) A person commits a felony of the second degree,
36 punishable as provided in s. 775.082, s. 775.083, or s. 775.084,
37 if the person:

38 (a) Violates subsection (8) as an adult and within 3 years
39 prior to the violation he or she has ~~previously~~ been convicted



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40 | as an adult of a violation of subsection (8); or