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LEGISLATIVE ACTION

Senate

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House

The Committee on Appropriations (Bradley and Simpson)
recommended the following:

Senate Amendment (with title amendment)

Delete lines 173 - 238

and insert:

(e) Except as provided in paragraph (d), if the property
stolen is valued at \$100 or more, but less than \$700 ~~\$300~~, the
offender commits petit theft of the first degree, punishable as
a misdemeanor of the first degree, as provided in s. 775.082 or
s. 775.083.

Section 4. Subsections (8) and (9) of section 812.015,



815540

11 Florida Statutes, are amended, and subsection (10) is added to
12 that section, to read:

13 812.015 Retail and farm theft; transit fare evasion;
14 mandatory fine; alternative punishment; detention and arrest;
15 exemption from liability for false arrest; resisting arrest;
16 penalties.—

17 (8) Except as provided in subsection (9), a person who
18 commits retail theft commits a felony of the third degree,
19 punishable as provided in s. 775.082, s. 775.083, or s. 775.084,
20 if the property stolen is valued at \$700 ~~\$300~~ or more, and the
21 person:

22 (a) Individually commits retail theft, or in concert with
23 one or more other persons, coordinates the activities of one or
24 more individuals in committing the offense. Multiple acts of
25 retail theft occurring within a 90-day period by an individual
26 or in concert with one or more persons must be, ~~in which case~~
27 ~~the amount of each individual theft is~~ aggregated to determine
28 the value of the property stolen;

29 (b) Conspires with another person to commit retail theft
30 with the intent to sell the stolen property for monetary or
31 other gain, and subsequently takes or causes such property to be
32 placed in the control of another person in exchange for
33 consideration;

34 (c) ~~(b)~~ Individually, or in concert with one or more other
35 persons, commits theft from more than one location within a 90-
36 day 48-hour period, in which case the amount of each individual
37 theft is aggregated to determine the value of the property
38 stolen;

39 (d) ~~(e)~~ Acts in concert with one or more other individuals



815540

40 within one or more establishments to distract the merchant,
41 merchant's employee, or law enforcement officer in order to
42 carry out the offense, or acts in other ways to coordinate
43 efforts to carry out the offense; or

44 (e)~~(d)~~ Commits the offense through the purchase of
45 merchandise in a package or box that contains merchandise other
46 than, or in addition to, the merchandise purported to be
47 contained in the package or box.

48
49 ===== T I T L E A M E N D M E N T =====

50 And the title is amended as follows:

51 Delete lines 11 - 21

52 and insert:

53 theft offenses; amending s. 812.015, F.S.; revising
54 the circumstances under which an offense of retail
55 theft constitutes a felony of the second or third
56 degree; authorizing the aggregation of