

By Representative Gardiner

1                                   A bill to be entitled  
2           An act relating to theft; creating s. 812.0145,  
3           F.S.; providing enhanced criminal penalties for  
4           theft from persons age 65 or older; requiring  
5           restitution and community service for theft  
6           from said persons; providing an effective date.

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

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10           Section 1. Section 812.0145, Florida Statutes, is  
11 created to read:

12           812.0145 Theft from persons 65 years of age or older;  
13 reclassification of offenses.--

14           (1) A person who is convicted of theft of more than  
15 \$1,000 from a person 65 years of age or older shall be ordered  
16 by the sentencing judge to make restitution to the victim of  
17 such offense and to perform up to 500 hours of community  
18 service work. Restitution and community service work shall be  
19 in addition to any fine or sentence which may be imposed and  
20 shall not be in lieu thereof.

21           (2) Whenever a person is charged with committing theft  
22 from a person 65 years of age or older, regardless of whether  
23 he or she knows or has reason to know the age of the victim,  
24 the offense for which the person is charged shall be  
25 reclassified as follows:

26           (a) If the funds, assets, or property involved in the  
27 theft from a person 65 years of age or older is valued at  
28 \$50,000 or more, the offender commits a felony of the first  
29 degree, punishable as provided in s. 775.082, s. 775.083, or  
30 s. 775.084.

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1        (b) If the funds, assets, or property involved in the  
2 theft from a person 65 years of age or older is valued at  
3 \$10,000 or more, but less than \$50,000, the offender commits a  
4 felony of the second degree, punishable as provided in s.  
5 775.082, s. 775.083, or s. 775.084.  
6        (c) If the funds, assets, or property involved in the  
7 theft from a person 65 years of age or older is valued at less  
8 than \$10,000, the offender commits a felony of the third  
9 degree, punishable as provided in s. 775.082, s. 775.083, or  
10 s. 775.084.

11            Section 2. This act shall take effect October 1, 2002.

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HOUSE SUMMARY

Provides enhanced criminal penalties for theft from persons age 65 or older. Requires restitution and community service for theft from said persons.