

By Senator Futch

18-1100-02

See HB

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

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

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

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

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

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

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

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.