

a second degree felony. This offense is ranked in Level 6 of the offense severity ranking chart of the Criminal Punishment Code.

III. Effect of Proposed Changes:

Senate Bill 2336 amends s. 921.002, F.S., the offense ranking chart of the Criminal Punishment Code, to raise from Level 6 to Level 7 the offense of cargo theft where the property stolen is valued at less than \$50,000. The effect of this change is that the lowest permissible sentence must be a prison sentence, absent mitigation.

The bill also raises from Level 7 to Level 8 the offense of cargo theft where the property stolen is valued at \$50,000 or more. The effect of this change is that it increases the lowest permissible sentence, which will increase the length of the prison sentence.

The bill also makes conforming changes to the ranking chart consistent with the amendment, and reenacts the relevant portion of the theft statute relating to cargo theft.

The bill takes effect July 1, 2003.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Economic Impact and Fiscal Note:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

A preliminary estimate by the Economic and Demographic Research Division of the Legislature is that SB 2336 is likely to have an insignificant prison bed impact.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Amendments:

None.

This Senate staff analysis does not reflect the intent or official position of the bill's sponsor or the Florida Senate.
