

By Senator Argenziano

3-784A-04

1 A bill to be entitled
2 An act relating to dealing in stolen property;
3 amending s. 812.022, F.S.; creating an
4 inference that a person accepting used property
5 knew or should have known that the property is
6 stolen if the property contains conspicuous
7 ownership information identifying the owner;
8 providing that the inference does not arise if
9 the dealer confirms that the property is not
10 stolen property; providing an effective date.

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

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14 Section 1. Subsection (5) is added to section 812.022,
15 Florida Statutes, to read:

16 812.022 Evidence of theft or dealing in stolen
17 property.--

18 (5) Proof of possession of stolen property by a dealer
19 who regularly deals in used property gives rise to the
20 inference that the person accepting the property knew or
21 should have known that the property was stolen, if the
22 property contains conspicuous ownership information
23 identifying the name and phone number of an owner. The
24 inference does not arise if the dealer contacts the owner
25 identified on the used property or the appropriate local law
26 enforcement agency prior to accepting the property from the
27 offeror and confirms that the property has not been stolen. An
28 accurate written record maintained by the dealer containing
29 the date, time, number called, and the name of the person who
30 confirmed that the property was not stolen is sufficient

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1 documentation for a dealer to avoid the inference created by
2 this subsection.

3 Section 2. This act shall take effect July 1, 2004.

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6 SENATE SUMMARY

7 Creates an inference that used property is stolen if the
8 property contains conspicuous ownership information
identifying the owner. Provides an exception.

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