

HB 0599

2004

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

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

Section 1. Subsection (5) is added to section 812.022,
 Florida Statutes, to read:
 812.022 Evidence of theft or dealing in stolen property.--
(5) Proof of possession of stolen property by a dealer who
regularly deals in used property gives rise to the inference
that the person accepting the property knew or should have known
that the property was stolen, if the property contains
conspicuous ownership information identifying the name and phone
number of an owner. The inference does not arise if the dealer
contacts the owner identified on the used property or the
appropriate local law enforcement agency prior to accepting the
property from the offeror and confirms that the property has not
been stolen. An accurate written record maintained by the dealer
containing the date, time, number called, and the name of the
person who confirmed that the property was not stolen is
sufficient documentation for a dealer to avoid the inference
created by this subsection.

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