

1 A bill to be entitled
 2 An act relating to fraudulently obtaining or retaining
 3 personal property or equipment; amending s. 812.155,
 4 F.S.; revising the threshold amounts for certain
 5 offenses relating to hiring, leasing, or obtaining
 6 personal property or equipment with the intent to
 7 defraud and failing to return hired or leased personal
 8 property or equipment; providing an effective date.

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

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 12 Section 1. Subsections (1) through (3) of section 812.155,
 13 Florida Statutes, are amended to read:

14 812.155 Hiring, leasing, or obtaining personal property or
 15 equipment with the intent to defraud; failing to return hired or
 16 leased personal property or equipment; rules of evidence.—

17 (1) OBTAINING BY TRICK, FALSE REPRESENTATION, ETC.—
 18 Whoever, with the intent to defraud the owner or any person
 19 lawfully possessing any personal property or equipment, obtains
 20 the custody of the personal property or equipment by trick,
 21 deceit, or fraudulent or willful false representation commits a
 22 misdemeanor of the second degree, punishable as provided in s.
 23 775.082 or s. 775.083, unless the value of the personal property
 24 or equipment is of a value of \$750 ~~\$300~~ or more; in that case
 25 the person commits a felony of the third degree, punishable as

26 | provided in s. 775.082, s. 775.083, or s. 775.084.

27 | (2) HIRING OR LEASING WITH THE INTENT TO DEFRAUD.—Whoever,
28 | with intent to defraud the owner or any person lawfully
29 | possessing personal property or equipment of the rental thereof,
30 | hires or leases the personal property or equipment from the
31 | owner or the owner's agents or any person in lawful possession
32 | thereof commits a misdemeanor of the second degree, punishable
33 | as provided in s. 775.082 or s. 775.083, unless the value of the
34 | personal property or equipment is of a value of \$750 ~~\$300~~ or
35 | more; in that case the person commits a felony of the third
36 | degree, punishable as provided in s. 775.082, s. 775.083, or s.
37 | 775.084.

38 | (3) FAILURE TO RETURN HIRED OR LEASED PERSONAL PROPERTY.—
39 | Whoever, after hiring or leasing personal property or equipment
40 | under an agreement to return the personal property to the person
41 | letting the personal property or equipment or his or her agent
42 | at the termination of the period for which it was let, shall,
43 | without the consent of the person or persons knowingly abandon
44 | or refuse to return the personal property or equipment as
45 | agreed, commits a misdemeanor of the second degree, punishable
46 | as provided in s. 775.082 or s. 775.083, unless the value of the
47 | personal property or equipment is of a value of \$750 ~~\$300~~ or
48 | more; in that case the person commits a felony of the third
49 | degree, punishable as provided in s. 775.082, s. 775.083, or s.
50 | 775.084.

HB 1309

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51 | Section 2. This act shall take effect July 1, 2018. |