

By Senator Powell

24-01444-23

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1 A bill to be entitled
2 An act relating to theft from nonprofit organizations;
3 creating s. 812.0146, F.S.; providing for the
4 reclassification of certain theft offenses of
5 specified amounts from nonprofit organizations;
6 requiring restitution and community service for
7 certain violations; providing an effective date.

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

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11 Section 1. Section 812.0146, Florida Statutes, is created
12 to read:

13 812.0146 Theft from a nonprofit organization;
14 reclassification of offenses.—

15 (1) Whenever a person is charged with committing theft from
16 an organization qualified as charitable under s. 501(c)(3) of
17 the Internal Revenue Code, the offense for which the person is
18 charged shall be reclassified as follows:

19 (a) If the funds, assets, or property involved in the theft
20 from an organization qualified as charitable under s. 501(c)(3)
21 of the Internal Revenue Code is valued at \$50,000 or more, the
22 offender commits a felony of the first degree, punishable as
23 provided in s. 775.082, s. 775.083, or s. 775.084.

24 (b) If the funds, assets, or property involved in the theft
25 from an organization qualified as charitable under s. 501(c)(3)
26 of the Internal Revenue Code is valued at \$10,000 or more, but
27 less than \$50,000, the offender commits a felony of the second
28 degree, punishable as provided in s. 775.082, s. 775.083, or s.
29 775.084.

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30 (c) If the funds, assets, or property involved in the theft
31 from an organization qualified as charitable under s. 501(c)(3)
32 of the Internal Revenue Code is valued at \$300 or more, but less
33 than \$10,000, the offender commits a felony of the third degree,
34 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

35 (2) A person who is convicted of theft of more than \$1,000
36 from an organization qualified as charitable under s. 501(c)(3)
37 of the Internal Revenue Code shall be ordered by the sentencing
38 judge to make restitution to the victim of such offense and to
39 perform up to 500 hours of community service work. Such
40 restitution and community service work shall be in addition to
41 any fine or sentence which may be imposed and shall not be in
42 lieu thereof.

43 Section 2. This act shall take effect October 1, 2023.