

By Senator Powell

24-00456-24

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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 in certain cases that the judge require  
7       restitution and community service in addition to any  
8       fine or sentence imposed; 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. Section 812.0146, Florida Statutes, is created  
13   to read:

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

16       (1) When a person is charged with committing theft from an  
17   organization that he or she knows or has reason to believe is a  
18   nonprofit organization that is qualified as charitable under s.  
19   501(c)(3) of the Internal Revenue Code, the offense for which  
20   the person is charged shall be reclassified as follows:

21       (a) If the funds, assets, or property involved in the theft  
22   from such an organization is valued at \$50,000 or more, the  
23   offender commits a felony of the first degree, punishable as  
24   provided in s. 775.082, s. 775.083, or s. 775.084.

25       (b) If the funds, assets, or property involved in the theft  
26   from such an organization is valued at \$10,000 or more, but less  
27   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 such an organization is valued at \$300 or more, but less  
32 than \$10,000, the offender commits a felony of the third degree,  
33 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

34       (2) When a person who is convicted of theft of more than  
35 \$1,000 from an organization that he or she knows or has reason  
36 to believe is a nonprofit organization that is qualified as  
37 charitable under s. 501(c)(3) of the Internal Revenue Code, the  
38 sentencing judge, in addition to any fine or sentence imposed,  
39 shall order the person to make restitution to the victim of such  
40 offense and perform up to 500 hours of community service.

41       Section 2. This act shall take effect October 1, 2024.