

SB 714 – Theft (Identical HB 1145)

This bill amends s. 812.014(2)(c)(1), F.S., increasing the minimum threshold property values for third degree grand theft from \$300 to \$1,000. It also amends s. 812.014(2)(d), F.S., increasing the minimum threshold property values for third degree grand theft for stealing property from a dwelling or unenclosed curtilage of a dwelling from \$100 to \$600. This bill also amends s. 812.015(8), F.S., increasing the minimum threshold property values for third degree retail theft from \$300 to \$1,000.

Per DOC, in FY 14-15, there were 12,231 (adj.) offenders sentenced under s. 812.014(2)(c)(1), F.S., with 1,370 (adj.) of these offenders sentenced to prison (mean sentence length=23.5 m, incarceration rate: 11.2% adj-11.2% unadj). There were 183 (adj.) offenders sentenced under s. 812.014(2)(d), F.S., with 37 (adj.) of these offenders sentenced to prison (mean sentence length=21.0 m, incarceration rate: 20.0% adj-20.2% unadj). Furthermore, there were 383 (adj.) offenders sentenced under s. 812.015(8), F.S., with 77 (adj.) of these offenders sentenced to prison (mean sentence length=27.7 m, incarceration rate: 20.1% adj-20.1% unadj).

The number of offenders that currently fall within the proposed changes to the s. 812.014(2)(c)(1), F.S. and s. 812.015(8), F.S. thresholds cannot be differentiated from the current thresholds. However, 37 offenders were sentenced to prison under s. 812.014(2)(d), F.S. (\$100 to \$300), which would not include these offenders within the parameters of the current bill (\$600 to \$1,000). That change alone would be a significant effect. Although the other changes to this portion of the bill cannot be quantified, there is expected to be a significant overall effect on prison beds.

This bill also creates the ability for a state attorney to establish a retail theft diversion program. However, this program would only apply to offenders that fall under the newly established minimum threshold property value of \$1,000 for 3rd degree felonies. Therefore, this would not have an additional impact on prison beds.

CONFERENCE ADOPTED ESTIMATE: Negative Significant

Requested by: Senate and House