



ARIZONA STATE SENATE
Fifty-Sixth Legislature, Second Regular Session

FACT SHEET FOR S.B. 1411

organized retail theft task force

Purpose

Requires the Attorney General (AG) to establish the Organized Retail Theft Task Force (Task Force) to combat crimes that relate to stealing, embezzling or obtaining retail merchandise by fraud, false pretenses or other illegal means for the purposes of reselling the items.

Background

A person commits *organized retail theft* if the person acting alone or in conjunction with another person: 1) removes merchandise from a retail establishment without paying the purchase price with the intent to resell or trade the merchandise for money or for other value; or 2) uses an artifice, instrument, container, device or other article to facilitate the removal of merchandise from a retail establishment without paying the purchase price. *Organized retail theft* is a class 4 felony ([A.R.S. § 13-1819](#)).

The AG serves as the chief legal officer of Arizona and is tasked with: 1) prosecuting and defending in the Supreme Court or a state court if deemed necessary, all proceedings in which Arizona or an officer of Arizona is a party or has an interest; 2) representing Arizona in any action in a federal court; and 3) assisting the county attorney of any county in the discharge of the county attorney's duties if deemed necessary (A.R.S. §§ [41-192](#) and [41-193](#)).

Arizona previously had a Task Force with the purpose of: 1) determining the scope of the problem of *organized retail theft*; 2) analyzing the various methods of combating the problem of *organized retail theft*; 3) determining recommendations for statutory changes; and 4) identifying the appropriate law enforcement agencies to receive funding, if made available by the federal government for the purpose of fighting *organized retail theft*. The Task Force repealed on September 30, 2009 ([Laws 2007, Ch. 233](#)).

There is no anticipated fiscal impact to the state General Fund associated with this legislation.

Provisions

1. Requires the AG to establish the Task Force to combat crimes that relate to stealing, embezzling or obtaining retail merchandise by fraud, false pretenses or other illegal means for the purposes of reselling the items.
2. Requires the AG to invite federal, state and local law enforcement personnel to participate in the task force in order to use the combined skills, expertise and resources of law enforcement personnel more effectively.

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3. Requires the Task Force to consist of one full time prosecutor, paralegal and support staff and six investigators.
4. Requires the Task Force to:
 - a) meet regularly to review cases and provide updates on ongoing cases to all members of the task force;
 - b) investigate, apprehend and recommend for prosecution, as appropriate, individuals or entities that participate in the purchase, sale or distribution of stolen property from a retail establishment or through the use of an internet or network site and to target individuals or entities that organize or commit theft and other property crimes for financial gain;
 - c) investigate offenses or violations that are under the AG's jurisdiction;
 - d) review, investigate and recommend for prosecution appropriate cases brought before the task force by law enforcement agencies or authorized loss prevention personnel in Arizona; and
 - e) by July 1, 2025, and each year thereafter, submit a report to the Governor, the President of the Senate and the Speaker of the House of Representatives and provide a copy to the Secretary of State on the Task Force's activities and any recommendations for legislative action relating to criminal penalties for crimes that have a negative impact on Arizona's economy.
5. Becomes effective on the general effective date.

Prepared by Senate Research

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ZD/SB/cs