

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

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

25           (b) If the funds, assets, or property involved in the

26 theft from an organization qualified as charitable under s.  
27 501(c)(3) of the Internal Revenue Code is valued at \$10,000 or  
28 more, but less than \$50,000, the offender commits a felony of  
29 the second degree, punishable as provided in s. 775.082, s.  
30 775.083, or s. 775.084.

31 (c) If the funds, assets, or property involved in the  
32 theft from an organization qualified as charitable under s.  
33 501(c)(3) of the Internal Revenue Code is valued at \$300 or  
34 more, but less than \$10,000, the offender commits a felony of  
35 the third degree, punishable as provided in s. 775.082, s.  
36 775.083, or s. 775.084.

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

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