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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-SECOND SESSION

H. F. No. 3279

02/10/2022 Authored by O'Neill, Robbins, Lueck and Heintzeman The bill was read for the first time and referred to the Committee on Public Safety and Criminal Justice Reform Finance and Policy

1.1 A bill for an act
1.2 relating to public safety; establishing the crime of organized retail theft; proposing
1.3 coding for new law in Minnesota Statutes, chapter 609.

1.4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.5 Section 1. 609.522 ORGANIZED RETAIL THEFT.

1.6 Subdivision 1. Organized retail theft. Whoever does any of the following commits
1.7 organized retail theft and may be sentenced as provided in subdivision 2:

1.8 (1) steals retail merchandise from a retail merchant and resells that merchandise;

1.9 (2) steals retail merchandise from a retail merchant and advertises or displays that
1.10 merchandise for sale;

1.11 (3) steals retail merchandise from a retail merchant and returns that merchandise to a
1.12 retail merchant for anything of value;

1.13 (4) receives, purchases, or possesses retail merchandise knowing or having reason to
1.14 know the property was stolen from a retail merchant and with the intent to resell that
1.15 merchandise;

1.16 (5) aids, advises, hires, counsels, or conspires with another to commit an offense under
1.17 this section; or

1.18 (6) steals retail merchandise from a retail merchant within ten years of a conviction
1.19 under this section.

1.20 Subd. 2. Sentence. Whoever commits organized retail theft may be sentenced as follows:

2.1 (1) to imprisonment for not more than 15 years or to payment of a fine of not more than
2.2 \$35,000, or both, if the value of the property stolen exceeds \$5,000;

2.3 (2) to imprisonment for not more than seven years or to payment of a fine of not more
2.4 than \$14,000, or both, if either of the following circumstances exist:

2.5 (i) the value of the property stolen is more than \$1,000 but not more than \$5,000; or

2.6 (ii) the person commits the offense within ten years of the first of two or more convictions
2.7 under this section;

2.8 (3) to imprisonment for not more than two years or to payment of a fine of not more
2.9 than \$5,000, or both, if either of the following circumstances exist:

2.10 (i) the value of the property stolen is more than \$500 but not more than \$1,000; or

2.11 (ii) the person commits the offense within ten years of a previous conviction under this
2.12 section; or

2.13 (4) to imprisonment of not more than one year or to payment of a fine of not more than
2.14 \$3,000, or both, if the value of the property stolen is \$500 or less.

2.15 **EFFECTIVE DATE.** This section is effective August 1, 2021, and applies to crimes
2.16 committed on or after that date.