

CHAPTER 2013-30

Senate Bill No. 338

An act relating to theft of utility services; amending s. 812.14, F.S.; providing additional criminal penalties for utility services wrongfully taken; providing that the person who unlawfully took utility services is liable to the utility for an increased civil penalty subject to the amount of the utility services unlawfully obtained; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Subsections (4), (7), (8), and (10) of section 812.14, Florida Statutes, are amended to read:

812.14 Trespass and larceny with relation to utility fixtures; theft of utility services.—

(4) ~~A~~ Any person who willfully violates paragraph (2)(a), paragraph (2)(b), or paragraph (2)(c) commits theft ~~a misdemeanor of the first degree~~, punishable as provided in s. 812.014 ~~s. 775.082 or s. 775.083~~.

(7) A person who willfully violates subsection (5) commits a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083. Prosecution for a violation of subsection (5) does not preclude prosecution for theft pursuant to ~~under~~ subsection (8) or s. 812.014.

(8) Theft of utility services for the purpose of facilitating the manufacture of a controlled substance is theft ~~a misdemeanor of the first degree~~, punishable as provided in s. 812.014 ~~s. 775.082 or s. 775.083~~.

(10) Whoever is found in a civil action to have violated ~~the provisions of~~ this section is liable to the utility involved in an amount equal to 3 times the amount of services unlawfully obtained or \$3,000 ~~\$1,000~~, whichever is greater.

Section 2. This act shall take effect October 1, 2013.

Approved by the Governor April 24, 2013.

Filed in Office Secretary of State April 24, 2013.