

SECOND REGULAR SESSION

HOUSE BILL NO. 2697

101ST GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE SHAUL.

5568H.011

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To amend chapter 570, RSMo, by adding thereto one new section relating to the offense of organized retail theft, with penalty provisions.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Chapter 570, RSMo, is amended by adding thereto one new section, to be
2 known as section 570.036, to read as follows:

**570.036. 1. A person commits the offense of organized retail theft if he or she,
2 while alone or with any other person or persons, commits a series of thefts of retail
3 merchandise against one or more persons either on the premises of a merchant or
4 through the use of an internet or network site in this state with the intent to:**

5 **(1) Return the merchandise to the merchant for value; or**

6 **(2) Resell, trade, or barter the merchandise for value in any manner including,
7 but not limited to, through the use of an internet or network site.**

8 **2. The offense of organized retail theft is a class C felony if the aggregated value
9 of the property or services involved in all thefts committed in this state during a period
10 of one hundred twenty days is no less than one thousand five hundred dollars and no
11 more than ten thousand dollars.**

12 **3. The offense of organized retail theft is a class B felony if the aggregated value
13 of the property or services involved in all thefts committed in this state during a period
14 of one hundred twenty days is more than ten thousand dollars.**

15 **4. In addition to any other penalty, the court shall order a person who violates
16 this section to pay restitution.**

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

17 **5. For the purposes of this section, in determining the aggregated value of the**
18 **property or services involved in all thefts committed in this state during a period of one**
19 **hundred twenty days:**

20 **(1) The amount involved in a single theft shall be deemed to be the highest value,**
21 **by any reasonable standard, of the property or services that are obtained; and**

22 **(2) The amounts involved in all thefts committed by all participants in the**
23 **organized retail theft shall be aggregated.**

24 **6. In any prosecution for a violation of this section, the violation shall be deemed**
25 **to have been committed and may be prosecuted in any jurisdiction in this state in which**
26 **any theft committed by any participant in the organized retail theft was committed**
27 **regardless of whether the defendant was ever physically present in such jurisdiction.**

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