

**SENATE
STATE OF MINNESOTA
NINETY-FIRST SESSION**

S.F. No. 2862

(SENATE AUTHORS: INGEBRIGTSEN and Hall)

DATE
05/02/2019

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OFFICIAL STATUS
Introduction and first reading
Referred to Judiciary and Public Safety 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, 2019, and applies to crimes
2.16 committed on or after that date.