

HB 290 -- ORGANIZED RETAIL THEFT

SPONSOR: Roberts

COMMITTEE ACTION: Voted "Do Pass" by the Standing Committee on Public Safety by a vote of 6 to 0.

This bill states that a person commits the offense of organized retail theft if the person, alone or in concert with others, commits a series of thefts of retail merchandise against a merchant with the intent to return the merchandise to the merchant for value or resell the merchandise for value.

The offense of organized retail theft is a class C felony if the aggregated value of all the thefts committed during a 120-day period is at least \$1,500 and no more than \$10,000 and a class B felony if the aggregated value is \$10,000 or more. The factors for determining the aggregated value is specified in the bill.

The bill also requires the court to order anyone that violates this provision to pay restitution.

This bill is the same as HB 2563 (2020).

PROPONENTS: Supporters say that we have historically not dealt with aggregate charges, which means looking at a series of crimes or series of victims, rather than each individual offense. The offense is usually committed with the intent to re-sell. This is a much bigger issue than people think, especially because of the Internet. This is not petty theft; this is like an entire shelf of merchandise being stolen and it is often returned for store credit or sold online. Power tools, baby formula, and razors are some examples. Baby formula is a concerning one from a safety perspective because you do not know where it has been stored and at what temperature. Thirty-three states have done something to combat this.

Testifying for the bill were Representative Roberts; Missouri Retailers Association; Walgreens; and Walmart.

OPPONENTS: There was no opposition voiced to the committee.

Written testimony has been submitted for this bill. The full written testimony can be found under Testimony on the bill page on the House website.