

SENATE BILL NO. 219—SENATOR ELLISON

FEBRUARY 19, 2025

Referred to Committee on Judiciary

SUMMARY—Revises provisions relating to organized retail theft. (BDR 15-727)

FISCAL NOTE: Effect on Local Government: No. Effect on the State: Yes.

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EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to crimes; increasing the penalty for organized retail theft under certain circumstances; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 Existing law provides that a person who participates in organized retail theft is
2 guilty of a category B felony, punishable by imprisonment for a minimum term of
3 not less than 2 years and a maximum term of not more than 15 years, and by a fine
4 of not more than \$20,000, if the aggregated value of the property or services
5 involved in all thefts committed during a period of 120 days is \$10,000 or more.
6 (NRS 205.08345) **Section 1** of this bill increases the penalty for organized retail
7 theft if the aggregated value of the property or services involved in all thefts
8 committed during the prescribed period is \$50,000 or more by providing that a
9 person found guilty of such an offense must be punished by: (1) imprisonment for a
10 minimum term of not less than 3 years and a maximum term of not more than 20
11 years; and (2) a fine of not more than \$30,000.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 **Section 1.** NRS 205.08345 is hereby amended to read as
2 follows:

3 205.08345 1. A person who knowingly participates directly
4 or indirectly in or engages in conduct with the intent to further an
5 organized retail theft is guilty of a category B felony and shall be
6 punished by imprisonment in the state prison for:

7 (a) If the aggregated value of the property or services involved
8 in all thefts committed in the organized retail theft in this State



1 during a period of 120 days is at least \$3,500 but less than \$10,000,  
2 a minimum term of not less than 1 year and a maximum term of not  
3 more than 10 years, and by a fine of not more than \$10,000.

4 (b) If the aggregated value of the property or services involved  
5 in all thefts committed in the organized retail theft in this State  
6 during a period of 120 days is *at least* \$10,000 ~~[or more,]~~ *but less*  
7 *than \$50,000*, a minimum term of not less than 2 years and a  
8 maximum term of not more than 15 years, and by a fine of not more  
9 than \$20,000.

10 (c) *If the aggregated value of the property or services involved*  
11 *in all thefts committed in the organized retail theft in this State*  
12 *during a period of 120 days is \$50,000 or more, a minimum term*  
13 *of not less than 3 years and a maximum term of not more than 20*  
14 *years, and by a fine of not more than \$30,000.*

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

17 3. For the purposes of this section, in determining the  
18 aggregated value of the property or services involved in all thefts  
19 committed in the organized retail theft in this State during a period  
20 of 120 days:

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

24 (b) The amounts involved in all thefts committed by all  
25 participants in the organized retail theft must be aggregated.

26 4. In any prosecution for a violation of this section, the  
27 violation shall be deemed to have been committed and may be  
28 prosecuted in any jurisdiction in this State in which any theft  
29 committed by any participant in the organized retail theft was  
30 committed, regardless of whether the defendant was ever physically  
31 present in that jurisdiction.

32 5. The Attorney General may investigate and prosecute a  
33 violation of this section and any other statute violated in the course  
34 of committing a violation of this section.

35 6. As used in this section:

36 (a) "Internet or network site" has the meaning ascribed to it in  
37 NRS 205.4744.

38 (b) "Merchant" has the meaning ascribed to it in NRS 597.850.

39 (c) "Organized retail theft" means committing, either alone or  
40 with any other person or persons, a series of thefts of retail  
41 merchandise against one or more merchants, either on the premises  
42 of a merchant or through the use of an Internet or network site, in  
43 this State with the intent to:

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



1           (2) Resell, trade or barter the merchandise for value in any  
2 manner, including, without limitation, through the use of an Internet  
3 or network site.  
4       **Sec. 2.** This act becomes effective upon passage and approval.



