

By Representative Hill

1 A bill to be entitled
2 An act relating to violations involving checks;
3 amending s. 832.07, F.S., relating to prima
4 facie evidence of identity with regard to
5 prosecution of bad check charges; removing
6 "race" as a required element of establishing
7 the identity of the person presenting the
8 check; providing an effective date.

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

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12 Section 1. Paragraph (b) of subsection (2) of section
13 832.07, Florida Statutes, 1996 Supplement, is amended to read:

14 832.07 Prima facie evidence of intent; identity.--

15 (2) IDENTITY.--

16 (a) In any prosecution or action under the provisions
17 of this chapter, a check, draft, or order for which the
18 information required in paragraph (b), paragraph (d),
19 paragraph (e), or paragraph (f) is available at the time of
20 issuance constitutes prima facie evidence of the identity of
21 the person issuing the check, draft, or order and that such
22 person is authorized to draw upon the named account.

23 (b) To establish this prima facie evidence:

24 1. The driver's license number or state identification
25 number, specifying the state of issuance of the person
26 presenting the check must be written on the check; or

27 2. The following information regarding the identity of
28 the person presenting the check must be obtained by the person
29 accepting such check: The presenter's full name, residence
30 address, home phone number, business phone number, place of
31 employment, sex, date of birth, and height, ~~and race~~.

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Section 2. This act shall take effect October 1, 1997.

HOUSE SUMMARY

With regard to the prosecution of bad check charges,
removes "race" as a required element of establishing the
identity of the person who presented the check.