

By Senator Fasano

11-104-07

1 A bill to be entitled

2 An act relating to debit cards; creating s.

3 501.0116, F.S.; requiring that a service

4 station merchant disclose the length of time

5 and dollar amount of the preauthorization hold

6 applicable to an off-line transaction for the

7 purchase of motor fuel using a debit card;

8 providing that failure to disclose such

9 information is a deceptive and unfair trade

10 practice; limiting the length of the

11 preauthorization hold that may be imposed for

12 an on-line transaction using a debit card;

13 providing a penalty; providing an effective

14 date.

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

18 Section 1. Section 501.0116, Florida Statutes, is
19 created to read:

20 501.0116 Preauthorization holds for off-line or
21 on-line transactions for the purchase of motor fuel using a
22 debit card.--

23 (1) A service station merchant must disclose in
24 conspicuous type at the point of sale the length of time and
25 dollar amount of any preauthorization hold that applies to an
26 off-line debit card transaction for the purchase of motor
27 fuel. The failure to provide such disclosure constitutes a
28 deceptive and unfair trade practice under part II.

29 (2) A preauthorization hold for an on-line debit card
30 transaction for the purchase of motor fuel may not exceed 2
31 hours after the time that the transaction is submitted by the

1 merchant or the time that the merchant receives the
2 transaction-completion message, whichever occurs earlier.

3 (3) A person who violates this section commits a
4 misdemeanor of the second degree, punishable as provided in s.
5 775.082 or s. 775.083. This penalty is in addition to any
6 other civil remedies provided by law.

7 Section 2. This act shall take effect July 1, 2007.

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10 SENATE SUMMARY

11 Provides that it is a deceptive and unfair trade practice
12 for a service station merchant to fail to disclose the
13 length of time and dollar amount of a preauthorization
14 hold applicable to an off-line debit card transaction for
15 the purchase of motor fuel. Limits the length of the
16 preauthorization hold that may be imposed for an on-line
17 debit card transaction. Provides that a violation of the
18 act is a second-degree misdemeanor.
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