

1                   A bill to be entitled  
 2           An act relating to fraudulently taking or using a credit  
 3           card; amending s. 817.60, F.S.; providing that a person  
 4           who takes a credit card from the possession, custody, or  
 5           control of another without the cardholder's consent or  
 6           who, with the knowledge that it has been taken, receives  
 7           the credit card with the intent to use it, to sell it, or  
 8           to transfer it to a person other than the issuer or the  
 9           cardholder commits a felony of the third degree rather  
 10          than a misdemeanor of the first degree; providing an  
 11          effective date.

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

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 15           Section 1. Subsection (1) of section 817.60, Florida  
 16           Statutes, is amended to read:

17           817.60 Theft; obtaining credit card through fraudulent  
 18           means.--

19           (1) THEFT BY TAKING OR RETAINING POSSESSION OF CARD  
 20           TAKEN.--A person who takes a credit card from the person,  
 21           possession, custody, or control of another without the  
 22           cardholder's consent or who, with knowledge that it has been so  
 23           taken, receives the credit card with intent to use it, to sell  
 24           it, or to transfer it to a person other than the issuer or the  
 25           cardholder commits ~~is guilty of~~ credit card theft and is subject  
 26           to the penalties set forth in s. 817.67 (2) ~~(1)~~. Taking a credit  
 27           card without consent includes obtaining it by conduct defined or  
 28           known as statutory larceny, common-law larceny by trespassory

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29 | taking, common-law larceny by trick or embezzlement or obtaining  
30 | property by false pretense, false promise or extortion.

31 |       Section 2. This act shall take effect July 1, 2009.