

By Senator Crist

12-00602A-09

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

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

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30 property by false pretense, false promise or extortion.

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