

1                   A bill to be entitled  
 2           An act relating to debtors and creditors; creating s.  
 3           687.072, F.S.; requiring lenders or creditors to verify  
 4           the identity of persons applying for a loan, credit card,  
 5           or extension of credit; providing that knowing and willful  
 6           use of personal identifying information of another  
 7           individual creates a rebuttable presumption; providing for  
 8           the forfeiture of any future indebtedness for failure to  
 9           verify an applicant's identity; providing an effective  
 10          date.

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

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 14           Section 1. Section 687.072, Florida Statutes, is created  
 15 to read:

16           687.072 Applications for loans or extensions of  
 17 credit.--Any lender or creditor licensed or chartered under the  
 18 provisions of chapter 516, chapter 520, chapter 657, chapter  
 19 658, chapter 665, or part XV of chapter 627; any lender or  
 20 creditor located in this state and licensed or chartered under  
 21 the laws of the United States and authorized to conduct a  
 22 lending business; or any lender or creditor lending through a  
 23 licensee under ss. 494.006-494.0077, authorized to issue loans,  
 24 credit cards, or extensions of credit must verify the identity  
 25 of the person applying for a loan of money, a credit card, or an  
 26 extension of credit. A subsequent determination that a person  
 27 who applied for a loan, credit card, or extension of credit  
 28 knowingly and willfully used the personal identifying

HB 689

2009

29 information of another individual creates a rebuttable  
30 presumption in any subsequent collection action by the lender or  
31 creditor for indebtedness that the lender or creditor failed to  
32 verify the identity of the applicant and that, therefore, the  
33 individual whose personal identifying information was used has  
34 no liability for the debt.

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