By Senator Ring

32-01305A-11   2011920__

1   A bill to be entitled
2   An act relating to possession of stolen credit or
3   debit cards; amending s. 817.60, F.S.; prohibiting
4   possession of a stolen credit or debit card in
5   specified circumstances; providing penalties;
6   providing that a retailer who takes, accepts, retains,
7   or possesses a stolen credit or debit card without
8   knowledge that the card is stolen and who is
9   authorized to process transactions by the company
10   issuing the credit or debit card does not commit a
11   violation under certain circumstances; providing an
12   exception for certain retail employees; providing an
13   effective date.
14
15   Be It Enacted by the Legislature of the State of Florida:
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17   Section 1. Subsection (8) is added to section 817.60,
18   Florida Statutes, to read:
19   817.60 Theft; obtaining credit card through fraudulent
20   means.—
21   (8) UNLAWFUL POSSESSION OF A STOLEN CREDIT OR DEBIT CARD.—A
22   person who knowingly possesses, receives, or retains custody of
23   a credit or debit card that has been taken from the possession,
24   custody, or control of another without the cardholder's consent
25   and with the intent to impede the recovery of the credit or
26   debit card by the cardholder commits unlawful possession of a
27   stolen credit or debit card and is subject to the penalties set
28   forth in s. 817.67(2). A retailer that takes, accepts, retains,
29   possesses, or processes a stolen credit card or debit card does

CODING: Words ~~stricken~~ are deletions; words <u>underlined</u> are additions.

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30 not commit a violation of this subsection if the retailer does

31 so in the ordinary course of business and the retailer does not

32 have actual knowledge that the credit card or debit card is

33 stolen; provided, this exception does not apply to a retail

34 employee who has actual knowledge that the credit card or debit

35 card is stolen.

36   Section 2. This act shall take effect October 1, 2011.