

By the Committee on Criminal Justice; and Senator Ring

591-02845-11

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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 or retail employee who
7 possesses, receives, or returns a stolen credit or
8 debit card without knowledge that the card is stolen
9 or in order to investigate the card's theft or
10 unlawful use does not commit a violation of the act;
11 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 (8) is added to section 817.60,
16 Florida Statutes, to read:

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

19 (8) UNLAWFUL POSSESSION OF A STOLEN CREDIT OR DEBIT CARD.—A
20 person who knowingly possesses, receives, or retains custody of
21 a credit or debit card that has been taken from the possession,
22 custody, or control of another without the cardholder's consent
23 and with the intent to impede the recovery of the credit or
24 debit card by the cardholder commits unlawful possession of a
25 stolen credit or debit card and is subject to the penalties set
26 forth in s. 817.67(2). It is not a violation of this subsection
27 for a retailer or retail employee, in the ordinary course of
28 business, to: possess, receive, or return a credit card or debit
29 card that the retailer or retail employee does not know was

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30 stolen; or possess, receive, or retain a credit card or debit
31 card that the retailer or retail employee knows is stolen for
32 the purpose of an investigation into the circumstances regarding
33 the theft of the card or its possible unlawful use.

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