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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
01/26/2012	.	
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The Committee on Judiciary (Richter) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. Section 817.535, Florida Statutes, is created to
read:

817.535 Fraudulent creation of interest in real or personal
property.-

(1) A person may not, with the intent to defraud another,
file or cause to be filed for recording in the official records
a document relating to real or personal property which the
person knows to contain a material misstatement,
misrepresentation, or omission of fact. The filed document may



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14 include, but is not limited to, a deed, lease, bill of sale,
15 agreement, mortgage, notice of claim of lien, notice of levy,
16 promissory note, mortgage note, or any other instrument that
17 relates to the ownership, transfer, or encumbrance of or claim
18 against real or personal property or any interest in real or
19 personal property.

20 (2) A person who violates subsection (1) commits the
21 offense of fraudulent creation of an interest in real or
22 personal property, a felony of the third degree, punishable as
23 provided in s. 775.082, s. 775.083, or s. 775.084.

24 Section 2. This act shall take effect October 1, 2012.

25
26 ===== T I T L E A M E N D M E N T =====

27 And the title is amended as follows:

28 Delete everything before the enacting clause
29 and insert:

30 A bill to be entitled
31 An act relating to property fraud; creating s.
32 817.535, F.S.; prohibiting a person, with intent to
33 defraud another, from filing or causing to be filed a
34 document relating to the ownership, transfer, or
35 encumbrance of or claim against real or personal
36 property, or any interest in real or personal
37 property, which the person knows contains a material
38 misstatement, misrepresentation, or omission of fact;
39 providing criminal penalties; providing an effective
40 date.