

By Senator Dean

3-00840-12

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1 A bill to be entitled
 2 An act relating to property fraud; creating s.
 3 817.535, F.S.; providing that a person who, with
 4 intent to defraud another, knowingly files or causes
 5 to be filed with the clerk of the circuit court a
 6 document relating to the ownership, transfer, or
 7 encumbrance of or claim against real or personal
 8 property, or any interest in real or personal, which
 9 contains a material misstatement, misrepresentation,
 10 or omission of fact commits the offense of fraudulent
 11 creation of an interest in real or personal property;
 12 providing criminal penalties; providing an effective
 13 date.

14
 15 Be It Enacted by the Legislature of the State of Florida:

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

19 817.535 Fraudulent creation of interest in real or personal
 20 property.—

21 (1) A person who, with intent to defraud another, knowingly
 22 files or causes to be filed with the clerk of the circuit court
 23 for any county of this state a document, including, but not
 24 limited to, a deed, lease, bill of sale, agreement, mortgage,
 25 notice or claim of lien, notice of levy, or any other instrument
 26 that relates to the ownership, transfer, or encumbrance of or
 27 claim against real or personal property, or any interest in real
 28 or personal property, and that contains a material misstatement,
 29 misrepresentation, or omission of fact, commits the offense of

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30 fraudulent creation of an interest in real or personal property.

31 (2) A person who violates subsection (1) commits a felony
32 of the third degree, punishable as provided in s. 775.082, s.
33 775.083, or s. 775.084.

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