

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:

16  
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.