

By the Committee on Judiciary; and Senator Dean

590-02334-12

2012996c1

1 A bill to be entitled
2 An act relating to property fraud; creating s.
3 817.535, F.S.; prohibiting a person, with intent to
4 defraud another, from filing or causing to be filed a
5 document relating to the ownership, transfer, or
6 encumbrance of or claim against real or personal
7 property, or any interest in real or personal
8 property, which the person knows contains a material
9 misstatement, misrepresentation, or omission of fact;
10 providing criminal penalties; providing an effective
11 date.

12
13 Be It Enacted by the Legislature of the State of Florida:

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

17 817.535 Fraudulent creation of interest in real or personal
18 property.—

19 (1) A person may not, with the intent to defraud another,
20 file or cause to be filed for recording in the official records
21 a document relating to real or personal property which the
22 person knows to contain a material misstatement,
23 misrepresentation, or omission of fact. The filed document may
24 include, but is not limited to, a deed, lease, bill of sale,
25 agreement, mortgage, notice of claim of lien, notice of levy,
26 promissory note, mortgage note, or any other instrument that
27 relates to the ownership, transfer, or encumbrance of or claim
28 against real or personal property or any interest in real or
29 personal property.

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

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