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A bill to be entitled  
 An act relating to identity theft; amending s.  
 817.568, F.S.; providing that possession of personal  
 identification information without a legitimate  
 business or professional purpose and with specified  
 intent constitutes fraudulent use of personal  
 identification information; providing criminal  
 penalties; creating a rebuttable presumption that a  
 person in possession of a specified quantity of  
 personal identification information has fraudulent  
 intent; providing an effective date.

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

Section 1. Paragraph (a) of subsection (2) of section  
 817.568, Florida Statutes, is amended to read:

817.568 Criminal use of personal identification  
 information.—

(2) (a) 1. A ~~Any~~ person who willfully and without  
 authorization fraudulently uses, or possesses with intent to  
 fraudulently use, personal identification information concerning  
 an individual without first obtaining that individual's consent,  
or without a legitimate business or professional purpose,  
 commits the offense of fraudulent use of personal identification  
 information, which is a felony of the third degree, punishable  
 as provided in s. 775.082, s. 775.083, or s. 775.084.

HB 1029

2014

27        2. For purposes of this paragraph, a person who possesses  
28 ten or more pieces of personal identification information is  
29 presumed to have an intent to fraudulently use such personal  
30 identification information. This presumption may be rebutted by  
31 demonstration that the possession was authorized by the person  
32 or persons to whom the information relates or the person  
33 possessing the information has a legitimate business or  
34 professional purpose for possessing the information.

35        Section 2. This act shall take effect October 1, 2014.