

By Senator Abruzzo

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1 A bill to be entitled
2 An act relating to identity theft; amending s.
3 817.568, F.S.; providing that possession of personal
4 identification information without a legitimate
5 business or professional purpose and with specified
6 intent constitutes fraudulent use of personal
7 identification information; providing criminal
8 penalties; creating a rebuttable presumption that a
9 person in possession of a specified quantity of
10 personal identification information has fraudulent
11 intent; providing an effective date.

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

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15 Section 1. Paragraph (a) of subsection (2) of section
16 817.568, Florida Statutes, is amended to read:

17 817.568 Criminal use of personal identification
18 information.—

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

27 2. For purposes of this paragraph, a person who possesses
28 10 or more pieces of personal identification information is
29 presumed to have an intent to fraudulently use such personal

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30 identification information. This presumption may be rebutted by
31 demonstration that the possession was authorized by the
32 individual to whom the information relates or that 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.