



583000

LEGISLATIVE ACTION

Senate	.	House
	.	
	.	
Floor: 1/AD/RM	.	Floor: SENAT/C
03/10/2016 10:55 AM	.	03/10/2016 04:51 PM
	.	

---

Senator Hutson moved the following:

1           **Senate Amendment to House Amendment (381087) (with title**  
2 **amendment)**

3  
4           Delete lines 22 - 49  
5 and insert:

6           (b) As used in this subsection, the term "traffic"  
7 includes:

8           1. Buying, selling, stealing, or otherwise effecting an  
9 exchange of food assistance benefits issued and accessed via  
10 electronic benefits transfer (EBT) cards, electronic benefits  
11 transfer (EBT) card numbers and personal identification numbers



583000

12 (PINs), or by manual voucher and signature, for cash or  
13 consideration other than eligible food, either directly,  
14 indirectly, in complicity or collusion with others, or acting  
15 alone;

16 2. Attempting to buy, sell, steal, or otherwise effect an  
17 exchange of food assistance benefits issued and accessed via  
18 electronic benefits transfer (EBT) cards, electronic benefits  
19 transfer (EBT) card numbers and personal identification numbers  
20 (PINs), or by manual voucher and signature, for cash or  
21 consideration other than eligible food, either directly,  
22 indirectly, in complicity or collusion with others, or acting  
23 alone;

24 3. Exchanging firearms, ammunition, explosives, or  
25 controlled substances, as defined in s. 893.02, for food  
26 assistance benefits;

27 4. Purchasing with food assistance benefits a product with  
28 the intent of obtaining cash or consideration other than  
29 eligible food by reselling the product, and subsequently  
30 intentionally reselling the product purchased with food  
31 assistance benefits in exchange for cash or consideration other  
32 than eligible food; or

33 5. Intentionally purchasing products originally purchased  
34 with food assistance benefits in exchange for cash or  
35 consideration other than eligible food.

36 (c) Any person who has possession of two or more electronic  
37 benefits transfer (EBT) cards issued to other persons and who  
38 sells or attempts to sell one or more of these cards commits a  
39 misdemeanor of the first degree, punishable as provided in s.  
40 775.082 or s. 775.083. A second or subsequent violation of this



583000

41 paragraph constitutes a felony of the third degree, punishable  
42 as provided in s. 775.082, s. 775.083, or s. 775.084.

43 (d) In addition to any other penalty, a person who commits  
44 a violation of paragraph (c) shall be ordered by the court to  
45 serve at least 20 hours of community service. If the court  
46 determines that the community service can be performed at a  
47 nonprofit entity that provides the community with food services  
48 for the needy, the court shall order that the community service  
49 be performed at such an entity.

50  
51 ===== T I T L E A M E N D M E N T =====

52 And the title is amended as follows:

53 Delete lines 329 - 336

54 and insert:

55 An act relating to offenses involving electronic  
56 benefits transfer cards; amending s. 414.39, F.S.;  
57 specifying acts that constitute trafficking in food  
58 assistance benefits cards and are subject to criminal  
59 penalties; providing criminal penalties; amending s.  
60 921.0022, F.S.; deleting a