



590140

LEGISLATIVE ACTION

Senate

House

.  
. .  
. .  
. .  
. .

Floor: 1/AD/2R

04/09/2025 04:06 PM

---

Senator DiCeglie moved the following:

**Senate Amendment (with title amendment)**

Delete lines 24 - 61

and insert:

(c) "Gift card" means a physical or virtual card, code, or device that may be issued to a consumer on a prepaid basis primarily for personal, family, or household purposes in a specified amount, regardless of whether that amount may be increased or reloaded in exchange for payment, and that is redeemable upon presentation by a consumer at a single merchant, a group of affiliated merchants, or a group of unaffiliated



590140

12 merchants.

13 (d) "Gift card redemption information" means information  
14 unique to each gift card which allows the cardholder to access,  
15 transfer, or spend the funds on that gift card.

16 (e) "Gift card seller" means a merchant that is engaged in  
17 the business of selling gift cards to consumers.

18 (f) "Value" means the greatest amount of economic loss the  
19 card issuer, gift card seller, or cardholder might reasonably  
20 suffer, including the full or maximum monetary face or load  
21 value of the gift card, regardless of whether the gift card has  
22 been activated.

23 (2) It is unlawful for a person, with the intent to  
24 defraud:

25 (a) To acquire or retain possession of a gift card or of  
26 gift card redemption information without the consent of the  
27 cardholder, card issuer, or gift card seller.

28 (b) To alter or tamper with a gift card or its packaging.

29 (c) To devise a scheme to obtain a gift card or gift card  
30 redemption information from a cardholder, card issuer, or gift  
31 card seller by means of false or fraudulent pretenses,  
32 representations, or promises.

33 (d) To use, for the purpose of obtaining money, goods,  
34 services, or anything else of value, a gift card or gift card  
35 redemption information that has been obtained in violation of  
36 this subsection.

37 (3) (a) Except as provided in paragraph (b), a person who  
38 violates subsection (2) commits a misdemeanor of the first  
39 degree, punishable as provided in s. 775.082 or s. 775.083.

40 (b) A person commits a felony of the third degree,



41 punishable as provided in s. 775.082, s. 775.083, or s. 775.084,  
42 if:

43 1. The person violates subsection (2) and has previously  
44 been convicted of a violation of subsection (2).

45 2. The value of any gift card; gift card redemption  
46 information; or money, goods, services, or other thing of value  
47 obtained as a result of violating subsection (2) exceeds \$750.

48 (c) For the purposes of this subsection, the value of any  
49 gift card; gift card redemption information; or money, goods,  
50 services, or other thing of value obtained as a result of  
51 violating subsection (2) may be aggregated to determine the  
52 degree of the offense.

53  
54 ===== T I T L E A M E N D M E N T =====

55 And the title is amended as follows:

56 Delete lines 9 - 11

57 and insert:

58 information; providing enhanced criminal penalties;  
59 authorizing the aggregating of specified values to  
60 determine the degree of an offense; providing an  
61 effective date.