

CHAPTER 2011-184

Committee Substitute for Committee Substitute for House Bill No. 339

An act relating to possession of stolen credit or debit cards; amending s. 817.60, F.S.; prohibiting possession of a stolen credit or debit card in specified circumstances; providing penalties; providing that a retailer or retail employee who possesses, receives, or returns a stolen credit or debit card without knowledge that the card is stolen or in order to investigate the card's theft or unlawful use does not commit a violation of the act; providing an effective date.

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

Section 1. Subsection (8) is added to section 817.60, Florida Statutes, to read:

817.60 Theft; obtaining credit card through fraudulent means.—

(8) UNLAWFUL POSSESSION OF A STOLEN CREDIT OR DEBIT CARD.—A person who knowingly possesses, receives, or retains custody of a credit or debit card that has been taken from the possession, custody, or control of another without the cardholder's consent and with the intent to impede the recovery of the credit or debit card by the cardholder commits unlawful possession of a stolen credit or debit card and is subject to the penalties set forth in s. 817.67(2). It is not a violation of this subsection for a retailer or retail employee, in the ordinary course of business, to possess, receive, or return a credit card or debit card that the retailer or retail employee does not know was stolen or to possess, receive, or retain a credit card or debit card that the retailer or retail employee knows is stolen for the purpose of an investigation into the circumstances regarding the theft of the card or its possible unlawful use.

Section 2. This act shall take effect October 1, 2011.

Approved by the Governor June 21, 2011.

Filed in Office Secretary of State June 21, 2011.