By Senator Fasano

11-965-06

1	A bill to be entitled
2	An act relating to debit cards; creating s.
3	501.0116, F.S.; requiring that a service
4	station merchant disclose the length of time
5	and dollar amount of the preauthorization hold
6	applicable to an off-line transaction for the
7	purchase of motor fuel using a debit card;
8	providing that failure to disclose such
9	information is a deceptive and unfair trade
10	practice; limiting the length of the
11	preauthorization hold that may be imposed for
12	an on-line transaction using a debit card;
13	providing a penalty; providing an effective
14	date.
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16	Be It Enacted by the Legislature of the State of Florida:
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18	Section 1. Section 501.0116, Florida Statutes, is
19	created to read:
20	501.0116 Preauthorization holds for off-line or
21	on-line transactions for the purchase of motor fuel using a
22	debit card
23	(1) Each service station merchant must disclose in
24	conspicuous type at the point of sale the length of time and
25	dollar amount of any preauthorization hold that applies to an
26	off-line debit card transaction for the purchase of motor
27	fuel. Failure by a service station merchant to provide such
28	disclosure constitutes a deceptive and unfair trade practice
29	under part II.
30	(2) The length of any preauthorization hold imposed
31	for an on-line debit card transaction for the purchase of

1	motor fuel may not exceed 2 hours following the time that the
2	transaction is submitted by the service station merchant or
3	the time that the merchant receives the transaction-completion
4	message, whichever occurs earlier.
5	(3) A person who violates this section commits a
6	misdemeanor of the second degree, punishable as provided in s.
7	775.082 or s. 775.083. The penalty provided in this subsection
8	is in addition to any civil remedies otherwise provided by
9	law.
10	Section 2. This act shall take effect July 1, 2006.
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13	SENATE SUMMARY
14	Provides that it is a deceptive and unfair trade practice
15	for a service station merchant to fail to disclose the length of time and dollar amount of the preauthorization hold applicable to an off-line debit card transaction for
16	the purchase of motor fuel. Limits the length of the
17	preauthorization hold that may be imposed for an on-line debit card transaction. Provides that a violation of the
18	act is a second-degree misdemeanor.
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