

ENROLLED  
CS/CS/HB 339

2011 Legislature

1                                   A bill to be entitled  
2           An act relating to possession of stolen credit or debit  
3           cards; amending s. 817.60, F.S.; prohibiting possession of  
4           a stolen credit or debit card in specified circumstances;  
5           providing penalties; providing that a retailer or retail  
6           employee who possesses, receives, or returns a stolen  
7           credit or debit card without knowledge that the card is  
8           stolen or in order to investigate the card's theft or  
9           unlawful use does not commit a violation of the act;  
10          providing an effective date.

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

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

16           817.60 Theft; obtaining credit card through fraudulent  
17 means.—

18           (8) UNLAWFUL POSSESSION OF A STOLEN CREDIT OR DEBIT CARD.—  
19 A person who knowingly possesses, receives, or retains custody  
20 of a credit or debit card that has been taken from the  
21 possession, custody, or control of another without the  
22 cardholder's consent and with the intent to impede the recovery  
23 of the credit or debit card by the cardholder commits unlawful  
24 possession of a stolen credit or debit card and is subject to  
25 the penalties set forth in s. 817.67(2). It is not a violation  
26 of this subsection for a retailer or retail employee, in the  
27 ordinary course of business, to possess, receive, or return a  
28 credit card or debit card that the retailer or retail employee

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29 does not know was stolen or to possess, receive, or retain a  
30 credit card or debit card that the retailer or retail employee  
31 knows is stolen for the purpose of an investigation into the  
32 circumstances regarding the theft of the card or its possible  
33 unlawful use.

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