A bill to be entitled
An act relating to identity theft; amending s. 817.568, F.S.; providing that possession of personal identification information without a legitimate business or professional purpose and with specified intent constitutes fraudulent use of personal identification information; providing criminal penalties; creating a rebuttable presumption that a person in possession of a specified quantity of personal identification information has fraudulent intent; providing an effective date.

Be it enacted by the Legislature of the State of Florida:

Section 1. Paragraph (a) of subsection (2) of section 817.568, Florida Statutes, is amended to read:

817.568 Criminal use of personal identification information.—

(2)(a) 1. Any person who willfully and without authorization fraudulently uses, or possesses with intent to fraudulently use, personal identification information concerning an individual without first obtaining that individual’s consent, or without a legitimate business or professional purpose, commits the offense of fraudulent use of personal identification information, which is a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

2. For purposes of this paragraph, a person who possesses 10 or more pieces of personal identification information is presumed to have an intent to fraudulently use such personal identification information.
identification information. This presumption may be rebutted by
demonstration that the possession was authorized by the
individual to whom the information relates or that the person
possessing the information has a legitimate business or
professional purpose for possessing the information.

Section 2. This act shall take effect October 1, 2014.