

SB 912 – Fraudulent Activities Associated with Payment Systems (Identical HB 761)

This bill amends multiple statutes. Currently, under s. 316.80, F.S., it is an unranked, 3rd degree felony if a person attempts to or does fraudulently obtain motor or diesel fuel. This bill would increase that to a **level 5, 2nd degree felony**. Additionally, this bill amends s. 817.611, F.S., adding “possession” to the unranked, 2nd degree felony offense of trafficking in counterfeit credit cards and decreasing the number of credit cards a person who traffics in, attempts to traffic in, or possesses, from ten to five. Furthermore, it increases the penalty to a **level 5, 2nd degree felony**.

Per DOC, in FY 14-15, there was 1 (adj.) offender sentenced for fraudulently obtaining motor or diesel fuel, but that person did not receive a prison sentence. There were 35 (adj.) offenders sentenced for trafficking in counterfeit credit cards, and 12 (adj.) received a prison sentence (mean sentence length=30.4 m, incarceration rate: 34.3% adj.-33.3% unadj.). In FY 14-15, the incarceration rate for a level 5, 2nd degree felony was 37.3%, with a mean sentence length of 34.0 m.

CONFERENCE ADOPTED ESTIMATE: Positive Insignificant

Requested by: Senate and House