

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.
Act 1018 of the Regular Session

1 State of Arkansas
2 85th General Assembly
3 Regular Session, 2005
4

A Bill

HOUSE BILL 2619

5 By: Representative D. Creekmore
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For An Act To Be Entitled

9 AN ACT TO INCLUDE THE USE OF A SCANNING DEVICE OR
10 A RE-ENCODER IN THE OFFENSE OF FINANCIAL IDENTITY
11 FRAUD; AND FOR OTHER PURPOSES.
12

Subtitle

13 AN ACT TO INCLUDE THE USE OF A SCANNING
14 DEVICE OR A RE-ENCODER IN THE OFFENSE OF
15 FINANCIAL IDENTITY FRAUD.
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19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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21 SECTION 1. Arkansas Code § 5-37-227(a), as amended by Act 280 of 2005,
22 is amended to read as follows:

23 (a)(1) A person commits financial identity fraud if, with the intent
24 to:

25 (A) create ~~create~~ Create, obtain, or open a credit account, debit
26 account, or other financial resource for his or her benefit or for the
27 benefit of a third party, he or she accesses, obtains, records, or submits to
28 a financial institution another person's identifying information for the
29 purpose of opening or creating a credit account, debit account, or financial
30 resource without the authorization of the person identified by the
31 information; or

32 (B) Appropriate a financial resource of another person to
33 his or her own use or to the use of a third party without the authorization
34 of that person, he or she:

35 (i) Uses a scanning device; or



1 (ii) Uses a re-encoder.

2 (2) "Financial institution", as used in this section, includes,
3 but is not limited to, a credit card company, bank, or any other type of
4 lending or credit company or institution.

5 (3) "Financial resource", as used in this section, includes, but
6 is not limited to, a credit card, debit card, or any other type of line of
7 credit or loan.

8 (4) "Identifying information", as used in this section,
9 includes, but is not limited to:

- 10 (A) Social security numbers;
- 11 (B) Driver's license numbers;
- 12 (C) Checking account numbers;
- 13 (D) Savings account numbers;
- 14 (E) Credit card numbers;
- 15 (F) Debit card numbers;
- 16 (G) Personal identification numbers;
- 17 (H) Electronic identification numbers;
- 18 (I) Digital signatures; or
- 19 (J) Any other numbers or information that can be used to

20 access a person's financial resources.

21 (5) "Re-encoder", as used in this section, means an electronic
22 device that places encoded information from the magnetic strip or stripe of a
23 payment card onto the magnetic strip or stripe of a different card.

24 (6) "Scanning device", as used in this section, means a scanner,
25 reader, or any other electronic device that is used to access, read, scan,
26 obtain, memorize, or store, temporarily or permanently, information encoded
27 on the magnetic strip or stripe of a payment card.

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30 **APPROVED: 3/18/2005**

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