

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.

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

36 (ii) Uses a re-encoder.



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

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

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

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

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

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

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