

SECOND REGULAR SESSION

HOUSE BILL NO. 1992

98TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE CORNEJO.

5218H.011

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal section 570.135 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session, and to enact in lieu thereof one new section relating to fraudulent procurement of a credit or debit card, with a penalty provision.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Section 570.135 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session, is repealed and one new section enacted in lieu thereof, to be known as section 570.135, to read as follows:

570.135. 1. A person commits the offense of fraudulent procurement of a credit or debit device if he or she:

(1) Knowingly makes or causes to be made, directly or indirectly, a false statement regarding another person for the purpose of fraudulently procuring the issuance of a credit or debit device; [or]

(2) Knowingly obtains a means of identification of another person without the authorization of that person and uses that means of identification fraudulently to obtain, or attempt to obtain, credit, goods or services in the name of the other person without the consent of that person; **or**

(3) **Knowingly possesses a fraudulently obtained debit or credit card or device.**

2. The offense of fraudulent procurement of a credit or debit device is a class A misdemeanor.

3. Notwithstanding any other provision of this section, no corporation, proprietorship, partnership, limited liability company, limited liability partnership or other business entity shall be **criminally** liable under this section for accepting applications for credit or debit devices or

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

16 for the use of a credit or debit device in any transaction, absent clear and convincing evidence
17 that such business entity conspired with or was a part of the fraudulent procuring of the issuance
18 of a credit or debit device.

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