

IN THE SENATE

SENATE BILL NO. 1029

BY JUDICIARY AND RULES COMMITTEE

AN ACT

RELATING TO FRAUDULENT TRANSACTIONS; AMENDING SECTION 18-3125, IDAHO CODE,
TO PROVIDE FOR INTENT TO USE TO DEFRAUD WHEN ACQUIRING A FINANCIAL
TRANSACTION CARD OR FINANCIAL TRANSACTION CARD NUMBER.

Be It Enacted by the Legislature of the State of Idaho:

SECTION 1. That Section 18-3125, Idaho Code, be, and the same is hereby
amended to read as follows:

18-3125. CRIMINAL POSSESSION OF FINANCIAL TRANSACTION CARD, FINAN-
CIAL TRANSACTION NUMBER AND FTC FORGERY DEVICES. It is a felony punishable as
provided in subsection (3) of section 18-3128, Idaho Code, for any person:

(1) To acquire an FTC or FTC number from another without the consent of
the card holder or the issuer with the intent to use to defraud, or to, with
the knowledge that it has been so acquired, receive an FTC or FTC number with
the intent to use to defraud, or to sell, or to transfer the FTC or FTC number
to another person with the knowledge that it is to be used to defraud;

(2) To acquire an FTC or FTC number that he knows to have been lost, mis-
laid, or delivered under a mistake as to the identity or address of the card
holder, and to retain possession with the intent to use to defraud or to sell
or transfer to another person with the knowledge that it is to be used to de-
fraud;

(3) To, with the intent to defraud, knowingly possess a false, ficti-
tious, counterfeit, revoked, expired or fraudulently obtained FTC or any FTC
account number;

(4) To, with the intent to defraud, knowingly obtain or attempt to
obtain credit or purchase or attempt to purchase any goods, property or
service, by use of any false, fictitious, counterfeit, revoked, expired or
fraudulently obtained FTC or FTC account number;

(5) To, with the intent to defraud, knowingly produce to another person
or procure, a false, fictitious, counterfeit, revoked, expired or fraudu-
lently obtained FTC or any FTC account number;

(6) To, with the intent to defraud and while making an application for
an FTC to an issuer, knowingly make or cause to be made, a false written or
oral statement or representation respecting his name, personal identifying
information, occupation, financial condition, assets, or to materially un-
dervalue any indebtedness for the purpose of influencing the issuer to issue
an FTC.