

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2015

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HOUSE BILL 627

Short Title: Fight Financial Transaction Card Fraud. (Public)

Sponsors: Representative McNeill (Primary Sponsor).

For a complete list of Sponsors, refer to the North Carolina General Assembly Web Site.

Referred to: Banking, if favorable, Judiciary I.

April 14, 2015

1 A BILL TO BE ENTITLED
2 AN ACT TO PROVIDE ADDITIONAL PROTECTIONS TO USERS OF FINANCIAL
3 TRANSACTION CARDS.

4 The General Assembly of North Carolina enacts:

5 **SECTION 1.** Article 2A of Chapter 75 of the General Statutes is amended by
6 adding a new section to read:

7 **"§ 75-67. Use of financial transaction card with automated banking device and scanning**
8 **devices.**

9 (a) Requirement. – A person who owns or operates a scanning device or an automated
10 banking device shall ensure that the device is incapable of accepting a financial transaction card
11 unless the person attempting to use the card first provides the device with the five-digit zip
12 code of the cardholder's billing address.

13 (b) Penalty for Violation. – A person who violates this section commits an infraction as
14 defined in G.S. 14-3.1 and is subject to a penalty of up to five hundred dollars (\$500.00) per
15 violation, not to exceed five hundred dollars (\$500.00) in any calendar month or two thousand
16 dollars (\$2,000) in any calendar year. A person who receives a citation for violation of this
17 section is not subject to the penalty provided in this subsection if the person establishes in court
18 that the person came into compliance with this section within 30 days of the issuance of the
19 citation and the person has remained in compliance with this section.

20 (c) Definitions. – The terms "automated banking device", "cardholder", "financial
21 transaction card", "presenting", and "scanning device" have the same meaning as in Article 19B
22 of Chapter 14 of the General Statutes."

23 **SECTION 2.** G.S. 75-67, as enacted by Section 1 of this act, reads as rewritten:

24 **"§ 75-67. Use of financial transaction card with automated banking device and scanning**
25 **devices.**

26 (a) Requirement. – A person who owns or operates a scanning device or an automated
27 banking device shall ensure that the device is incapable of accepting a financial transaction card
28 unless the person attempting to use the card first provides the device with the five-digit zip
29 code of the cardholder's billing address and the cardholder's personal identification
30 code.

31 (b) Penalty for Violation. – A person who violates this section commits an infraction as
32 defined in G.S. 14-3.1 and is subject to a penalty of up to five hundred dollars (\$500.00) per
33 violation, not to exceed five hundred dollars (\$500.00) in any calendar month or two thousand
34 dollars (\$2,000) in any calendar year. A person who receives a citation for violation of this
35 section is not subject to the penalty provided in this subsection if the person establishes in court



1 that the person came into compliance with this section within 30 days of the issuance of the
2 citation and the person has remained in compliance with this section.

3 (c) Definitions. – The terms "automated banking device", "cardholder", "financial
4 transaction card", "personal identification code", "presenting", and "scanning device" have the
5 same meaning as in Article 19B of Chapter 14 of the General Statutes."

6 **SECTION 3.** G.S. 14-113.17 reads as rewritten:

7 "**§ 14-113.17. Punishment and penalties.**

8 (a) A person who is subject to the punishment and penalties of this Article shall be
9 guilty of a ~~Class 2 misdemeanor~~.Class I felony.

10 (b) A crime punishable under this Article is punishable as a ~~Class I~~Class G felony."

11 **SECTION 4.** Section 1 of this act becomes effective July 1, 2015. Section 2 of this
12 act becomes effective October 1, 2016. The remainder of this act becomes effective December
13 1, 2015, and applies to violations committed on or after that date.