

Senate Engrossed

State of Arizona
Senate
Forty-fifth Legislature
Second Regular Session
2002

CHAPTER 95

SENATE BILL 1052

AN ACT

AMENDING SECTION 13-2101, ARIZONA REVISED STATUTES; AMENDING TITLE 13, CHAPTER 21, ARIZONA REVISED STATUTES, BY ADDING SECTION 13-2110; RELATING TO CREDIT CARD FRAUD.

(TEXT OF BILL BEGINS ON NEXT PAGE)



1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 13-2101, Arizona Revised Statutes, is amended to
3 read:

4 13-2101. Definitions

5 In this chapter, unless the context otherwise requires:

6 1. "Cancelled or revoked credit card" means a credit card which THAT
7 is no longer valid because permission to use it has been suspended, revoked
8 or terminated by the issuer of the credit card by written notice sent by
9 certified or registered mail addressed to the person to whom the credit card
10 was issued at the person's last known address. Proof that the written notice
11 has been deposited as certified or registered matter in the United States
12 mail addressed to the person to whom the credit card was issued at the
13 person's last known address gives rise to an inference that the written
14 notice has been given to the cardholder.

15 2. "Cardholder" means any person:

16 (a) Named on the face of a credit card to whom or for whose benefit
17 the credit card is issued by an issuer; or

18 (b) In possession of a credit card with the consent of the person to
19 whom the credit card was issued.

20 3. "Credit card" means:

21 (a) Any instrument or device, whether known as a credit card, charge
22 card, credit plate, courtesy card or identification card or by any other
23 name, THAT IS issued with or without fee by an issuer for the use of the
24 cardholder in obtaining money, goods, services or anything else of value,
25 either on credit or in possession or in consideration of an undertaking or
26 guaranty by the issuer of the payment of a check drawn by the cardholder,
27 upon ON a promise to pay in part or in full therefor at a future time,
28 whether or not all or any part of the indebtedness THAT IS represented by
29 such THE promise to make deferred payment is secured or unsecured.

30 (b) A debit card, electronic benefit transfer card or other access
31 instrument or device, other than a check that is signed by the holder or
32 other authorized signatory on the deposit account, that draws funds from a
33 deposit account in order to obtain money, goods, services or anything else
34 of value.

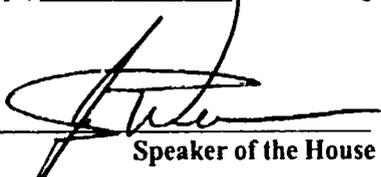
35 (c) A stored value card, smart card or other instrument or device that
36 enables a person to obtain goods, services or anything else of value through
37 the use of value stored on the CARD, instrument or device.

38 (d) The number THAT IS assigned to an THE CARD, instrument or device
39 described in subdivisions ~~(a)~~ through SUBDIVISION (a), (b) OR (c) of this
40 paragraph even if the physical CARD, instrument or device is not used or
41 presented.

42 4. "Expired credit card" means a credit card which THAT is no longer
43 valid because the term shown on the credit card has elapsed.

Passed the House April 23, 20 02

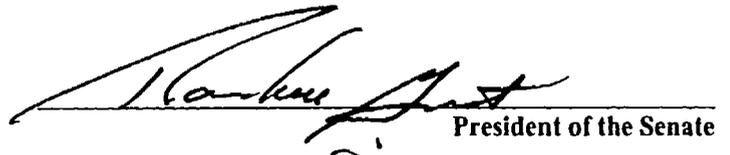
by the following vote: 53 Ayes,
0 Nays, 7 Not Voting

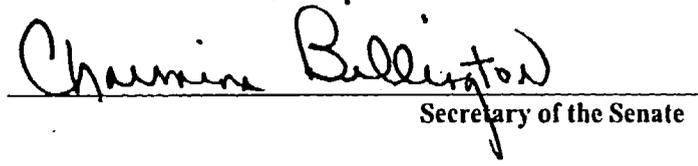

Speaker of the House


Chief Clerk of the House

Passed the Senate February 11, 20 02

by the following vote: 27 Ayes,
0 Nays, 3 Not Voting


President of the Senate

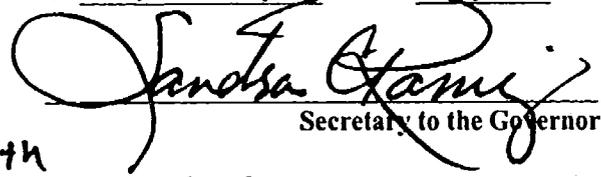

Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill was received by the Governor this

24 day of April, 2002

at 12:14 o'clock P M.


Secretary to the Governor

Approved this 29th day of

April, 2002,

at 1:04 o'clock P M.

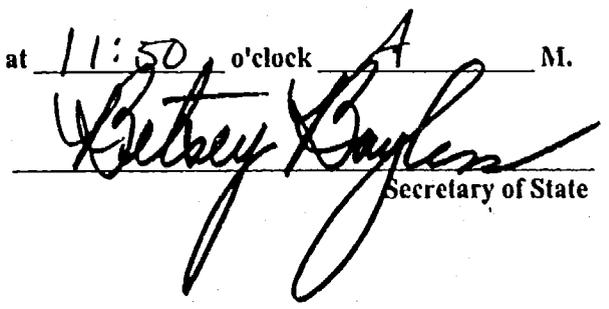

Governor of Arizona

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill was received by the Secretary of State

this 30 day of April, 2002

at 11:50 o'clock A M.


Secretary of State

S.B. 1052