

**76-6-506.3 Financial transaction card offenses -- Unlawful acquisition, possession, or transfer of card.**

Any person is guilty of a third degree felony who:

- (1) acquires a financial transaction card from another without the consent of the card holder or the issuer;
- (2) receives a financial transaction card with intent to use it in violation of Section 76-6-506.2;
- (3) sells or transfers a financial transaction card to another person with the knowledge that it will be used in violation of Section 76-6-506.2;
- (4)
  - (a) acquires a financial transaction card that the person knows was lost, mislaid, or delivered under a mistake as to the identity or address of the card holder; and
  - (b)
    - (i) retains possession with intent to use it in violation of Section 76-6-506.2; or
    - (ii) sells or transfers a financial transaction card to another person with the knowledge that it will be used in violation of Section 76-6-506.2; or
- (5) possesses, sells, or transfers any information necessary for the use of a financial transaction card, including the credit number of the card, the expiration date of the card, or the personal identification code related to the card:
  - (a)
    - (i) without the consent of the card holder or the issuer; or
    - (ii) with the knowledge that the information has been acquired without consent of the card holder or the issuer; and
  - (b) with intent to use the information in violation of Section 76-6-506.2.

Amended by Chapter 166, 2009 General Session