

BILL SUMMARY
2nd Session of the 59th Legislature

Bill No.:	HB4069
Version:	CS
Request Number:	10635
Author:	Wallace
Date:	3/1/2024
Impact:	DOC: Minimal
	AOC: Revenue Positive
	State budget: No material impact

Research Analysis

The committee substitute to HB 4069 modifies the crime of falsely manufacturing of credit and debit cards to include the cloning or altering any credit, debit or similar card containing a magnetic strip capable of storing data. The measure provides that the possession of three or more cards containing cloned or altered data is a rebuttable presumption that the person possesses the cards with the intent to defraud. The bill modifies the penalties for possession of cloned or altered cards by providing that the possession of five or fewer cards is a felony punishable by a term of imprisonment of not less than two years nor more than five years and a fine of up to \$5,000. Possession of six to twenty cards is a felony punishable by imprisonment of not less than five years and not more than ten years and a fine of not more than \$10,000. Possession of twenty or more cards is a felony punishable by a term of imprisonment of not less than ten years and not more than twenty years and a fine of up to \$100,000.

Prepared By: Brad Wolgamott

Fiscal Analysis

The CS of this measure modifies the crime of falsely manufacturing credit and debit cards, establishing the crime as a felony and providing penalties for various levels of the offense. Depending on the offense, fines range from \$2,000 to \$100,000, and imprisonments range from 2 years to 20 years incarceration within the Department of Corrections (DOC). In its current form, HB4069 has the potential to create imprisonments with the Department of Corrections (DOC) at a marginal cost of \$16.60/day per inmate to be absorbed by existing budgetary resources, generate new revenues for the Administrative Office of the Courts (AOC), and is not anticipated to have a material impact on state budget or appropriations.

Prepared By: Robert Flipping IV, House Fiscal Staff

Other Considerations

None.