

SECOND REGULAR SESSION

# SENATE BILL NO. 802

91ST GENERAL ASSEMBLY

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INTRODUCED BY SENATOR DePASCO.

Pre-filed December 5, 2001, and 1,000 copies ordered printed.

TERRY L. SPIELER, Secretary.

2623S.011

## AN ACT

To repeal section 570.130, RSMo, relating to fraudulent use of a credit device or a debit device, and to enact in lieu thereof one new section relating to the same subject, with penalty provisions.

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*Be it enacted by the General Assembly of the State of Missouri, as follows:*

Section A. Section 570.130, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 570.130, to read as follows:

570.130. 1. A person commits the crime of fraudulent use of a credit device or debit device if the person uses a credit device or debit device for the purpose of obtaining services or property, knowing that:

- (1) The device is stolen, fictitious or forged; or
- (2) The device has been revoked or canceled; or
- (3) For any other reason his use of the device is unauthorized; **or**

**(4) Uses a credit device or debit device for the purpose of paying property taxes and knowingly cancels said charges or payment without just cause. It shall be prima facie evidence of a violation of this section if a person cancels said charges or payment after obtaining a property tax receipt to obtain license tags from the Missouri department of revenue.**

2. Fraudulent use of a credit device or debit device is a class A misdemeanor unless the value of the **property tax or the value of the** property or services obtained or sought to be obtained within any thirty-day period is one hundred fifty dollars or more, in which case fraudulent use of a credit device or debit device is a class D felony.