

SECOND REGULAR SESSION

HOUSE BILL NO. 2454

99TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE REMOLE.

6411H.011

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal section 570.130, RSMo, and to enact in lieu thereof one new section relating to fraudulent use of certain devices, with a penalty provision.

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Section A. Section 570.130, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 570.130, to read as follows: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 offense of fraudulent use of a credit device or debit device if he or she 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(2) The device has been revoked or cancelled; ~~[or]~~

(3) For any other reason his or her 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 such charges or payment without just cause. It shall be prima facie evidence of a violation of this section if a person cancels such charges or payment after obtaining a property tax receipt to obtain license tags from the Missouri department of revenue.

2. The offense of 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 seven hundred fifty dollars or more, in which case fraudulent use of a credit device or debit device is a class~~ **E** felony.

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

15 **3. Any person guilty of the offense of fraudulent use of a credit device or debit**
16 **device shall not be eligible for probation or parole until such person has served at least**
17 **three hundred sixty-five days of his or her sentence.**

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