

HB 3414 -- FRAUD AND RELATED ACTIVITY IN CONNECTION WITH ACCESS DEVICES

SPONSOR: Reuter

This bill establishes new laws in Missouri to combat fraud related to "access devices", as defined in the bill, which include credit cards, account numbers, and other means to obtain money, goods, or services, or to transfer funds.

The bill outlines specific violations, including, but not limited to, knowingly using or creating counterfeit or unauthorized access devices, possessing a large number of access devices, or using the devices to obtain over \$1,000 in a year.

This bill includes fraud involving telecommunications services, including using modified phones or "scanning receivers", as defined in the bill, to intercept communications or obtain services without authorization.

Penalties for violating these provisions vary based on whether it's a first or subsequent violation, with specified fines, imprisonment terms up to 20 years, and forfeiture of property used in the crime.

The bill creates a separate offense for devising a "scheme or artifice to defraud", which means a plan to deceive others for financial gain using interstate communications or foreign commerce to carry out that plan. This offense has a penalty of a fine not to exceed \$250,000 or up to five years imprisonment, or both.

If the violation affects a financial institution the offense has a penalty of a fine not to exceed one million dollars or up to 30 years imprisonment, or both.

The Attorney General is empowered to investigate and enforce these new provisions.