

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2021

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HOUSE BILL 238

Short Title: Prohibit Possession of Skimming Device. (Public)

Sponsors: Representative Torbett.

For a complete list of sponsors, refer to the North Carolina General Assembly web site.

Referred to: Judiciary 3, if favorable, Rules, Calendar, and Operations of the House

March 9, 2021

1 A BILL TO BE ENTITLED
2 AN ACT TO PROHIBIT THE POSSESSION OF CREDIT CARD SKIMMING DEVICES.
3 The General Assembly of North Carolina enacts:

4 **SECTION 1.** G.S. 14-113.8 reads as rewritten:

5 "**§ 14-113.8. Definitions.**

6 The following words and phrases as used in this Chapter, unless a different meaning is plainly
7 required by the context, shall have the following meanings:

8 ...

9 (10) **Scanning Device.** – "Scanning device" means a scanner, reader, or any other
10 device that is used to access, read, scan, obtain, memorize, or store,
11 temporarily or permanently, information encoded on a financial transaction
12 card. This term does not include a skimming device.

13 (11) **Skimming Device.** – A self-contained device that (i) is designed to read and
14 store in the device's internal memory information encoded on the computer
15 chip, magnetic strip or stripe, or other storage mechanism of a financial
16 transaction card or from another device that directly reads the information
17 from a financial transaction card and (ii) is incapable of processing the
18 financial transaction card information for the purpose of obtaining,
19 purchasing, or receiving goods, services, money, or anything else of value
20 from a merchant."

21 **SECTION 2.** G.S. 14-113.9(a) is amended by adding a new subdivision to read:

22 "(6) Knowingly possesses, sells, or delivers a skimming device. The prohibition
23 set forth in this subdivision does not apply to an employee, officer, or agent
24 of any of the following while acting within the scope of the person's official
25 duties:

26 a. A law enforcement agency.

27 b. A State or federal court.

28 c. An agency or department of the State, local, or federal government.

29 d. A financial or retail security investigator employed by a merchant."

30 **SECTION 3.** This act becomes effective December 1, 2021, and applies to offenses
31 committed on or after that date.



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