

1. OBTAIN MONEY, GOODS, SERVICES, OR ANYTHING OF VALUE; OR

2. INITIATE A TRANSFER OF FUNDS.

(3) "CREDIT CARD" DOES NOT INCLUDE A CHECK, DRAFT, OR SIMILAR PAPER INSTRUMENT.

REVISOR'S NOTE: This subsection is new language derived without substantive change from former Art. 27, § 145(a)(2) and (5).

In paragraph (2)(i) of this subsection, the reference to a device "for use by" a cardholder is substituted for the former reference to a device "used by" a cardholder for accuracy. The Criminal Law Article Review Committee calls this substitution to the attention of the General Assembly.

Also in paragraph (2)(i) of this subsection, the former reference to "instructing" a financial institution is deleted as included in the reference to "order[ing]".

The former term "payment device number" which was defined in former Art. 27, § 145(a)(5) is revised as part of the defined term "credit card", derived from former § 145(a)(2), because it was used once in former Art. 27, § 145 and only in the latter definition. The term "payment device number" in former Art. 27, § 145(a)(5) excluded an "encoded or truncated number", while the same term in former CL § 14-1401 - now in Part II of this subtitle - did not exclude them. Except as otherwise specifically provided, in Part II of this subtitle the explicit references to a "credit card number or payment device number" included these encoded or truncated numbers.

(D) ISSUER.

"ISSUER" MEANS A BUSINESS ORGANIZATION OR FINANCIAL INSTITUTION THAT ISSUES A CREDIT CARD OR THE AUTHORIZED AGENT OF THE BUSINESS ORGANIZATION OR FINANCIAL INSTITUTION.

REVISOR'S NOTE: This subsection is new language derived without substantive change from former Art. 27, § 145(a)(3).

The second reference to "the business organization or financial institution" is substituted for the former reference to "its" for clarity.

The former word "duly" is deleted as implicit in the reference to an "authorized" agent.

REVISOR'S NOTE TO SECTION

Former Art. 27, § 145(a)(4) which defined "[r]eceive or receiving" to mean "acquiring possession or control of a credit card" is deleted as unnecessary in light of the commonly understood meaning of the terms and since the substantive provisions of this subtitle are explicit with respect to receiving "a credit card". See, e.g., § 8-204(a)(1)(ii), (b), and (d) of this subtitle.