

A PERSON MAY NOT MAKE OR CAUSE TO BE MADE, DIRECTLY OR INDIRECTLY, A FALSE STATEMENT IN WRITING ABOUT THE IDENTITY OF THE PERSON OR OF ANOTHER TO PROCURE THE ISSUANCE OF A CREDIT CARD:

- (1) KNOWING THE STATEMENT TO BE FALSE; AND
- (2) WITH THE INTENT THAT THE STATEMENT BE RELIED ON.

(B) PENALTY.

A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO IMPRISONMENT NOT EXCEEDING 18 MONTHS OR A FINE NOT EXCEEDING \$500 OR BOTH.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 27, § 145(b) and (h)(1).

In the introductory language of this section, the former reference to a "firm or corporation" is deleted in light of the defined term "person".

Defined terms: "Credit card" § 8-201
"Person" § 1-101

8-204. CREDIT CARD THEFT.

(A) TAKING CREDIT CARD FROM ANOTHER; RECEIVING CREDIT CARD TAKEN FROM ANOTHER WITH INTENT TO SELL.

(1) A PERSON MAY NOT:

(I) TAKE A CREDIT CARD FROM ANOTHER, OR FROM THE POSSESSION, CUSTODY, OR CONTROL OF ANOTHER WITHOUT THE CONSENT OF THE CARDHOLDER; OR

(II) WITH KNOWLEDGE THAT A CREDIT CARD HAS BEEN TAKEN UNDER THE CIRCUMSTANCES DESCRIBED IN ITEM (I) OF THIS PARAGRAPH, RECEIVE THE CREDIT CARD WITH THE INTENT TO USE IT OR SELL OR TRANSFER IT TO ANOTHER WHO IS NOT THE ISSUER OR THE CARDHOLDER.

(2) A PERSON WHO VIOLATES THIS SUBSECTION IS GUILTY OF CREDIT CARD THEFT.

(B) RECEIVING CREDIT CARD KNOWN TO HAVE BEEN LOST OR MISDELIVERED.

(1) A PERSON MAY NOT RECEIVE A CREDIT CARD THAT THE PERSON KNOWS WAS LOST, MISLAID, OR DELIVERED UNDER A MISTAKE AS TO THE IDENTITY OR ADDRESS OF THE CARDHOLDER AND RETAIN POSSESSION OF THE CREDIT CARD WITH THE INTENT TO USE, SELL, OR TRANSFER IT TO ANOTHER WHO IS NOT THE ISSUER OR THE CARDHOLDER.

(2) A PERSON WHO VIOLATES THIS SUBSECTION IS GUILTY OF CREDIT CARD THEFT.