

In subsection (b)(3) of this section, the reference to "transfer[ring]" a false credit card is substituted for the former reference to "utter[ing]" a false credit card for clarity.

In subsection (d) of this section, the reference to credit card "counterfeiting" is substituted for the former reference to credit card "forgery" for consistency within this article.

Defined terms: "Cardholder" § 8-201

"Counterfeit" § 1-101

"Credit card" § 8-201

"Issuer" § 8-201

"Person" § 1-101

8-206. OBTAINING PROPERTY BY COUNTERFEITING, THEFT, OR MISREPRESENTATION.

(A) PROHIBITED — USE OF STOLEN OR COUNTERFEIT CARD.

A PERSON MAY NOT FOR THE PURPOSE OF OBTAINING MONEY, GOODS, SERVICES, OR ANYTHING OF VALUE, AND WITH THE INTENT TO DEFRAUD ANOTHER, USE:

(1) A CREDIT CARD OBTAINED OR RETAINED IN VIOLATION OF § 8-204 OR § 8-205 OF THIS SUBTITLE; OR

(2) A CREDIT CARD THAT THE PERSON KNOWS IS COUNTERFEIT.

(B) SAME — FALSE REPRESENTATION.

A PERSON MAY NOT, WITH THE INTENT TO DEFRAUD ANOTHER, OBTAIN MONEY, GOODS, SERVICES, OR ANYTHING OF VALUE BY REPRESENTING:

(1) WITHOUT THE CONSENT OF THE CARDHOLDER, THAT THE PERSON IS THE HOLDER OF A SPECIFIED CREDIT CARD; OR

(2) THAT THE PERSON IS THE HOLDER OF A CREDIT CARD WHEN THE CREDIT CARD HAD NOT BEEN ISSUED.

(C) PENALTIES.

(1) IF THE VALUE OF ALL MONEY, GOODS, SERVICES, AND OTHER THINGS OF VALUE OBTAINED IN VIOLATION OF THIS SECTION EXCEEDS \$500, A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A FELONY AND ON CONVICTION IS SUBJECT TO IMPRISONMENT NOT EXCEEDING 15 YEARS OR A FINE NOT EXCEEDING \$1,000 OR BOTH.

(2) IF THE VALUE OF ALL MONEY, GOODS, SERVICES, AND OTHER THINGS OF VALUE OBTAINED IN VIOLATION OF THIS SECTION DOES NOT EXCEED \$500, 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.