

(D) A PERSON MAY NOT KNOWINGLY, WILLFULLY, AND WITH FRAUDULENT INTENT TO OBTAIN A BENEFIT, CREDIT, GOOD, SERVICE, OR OTHER THING OF VALUE, USE:

(1) A RE-ENCODER TO PLACE INFORMATION ENCODED ON THE MAGNETIC STRIP OR STRIPE OF A CREDIT CARD ONTO THE MAGNETIC STRIP OR STRIPE OF A DIFFERENT CREDIT CARD OR USE ANY OTHER ELECTRONIC MEDIUM THAT ALLOWS SUCH A TRANSACTION TO OCCUR WITHOUT THE CONSENT OF THE INDIVIDUAL AUTHORIZED TO USE THE CREDIT CARD FROM WHICH THE PERSONAL IDENTIFYING INFORMATION OR PAYMENT DEVICE NUMBER IS BEING RE-ENCODED; OR

(2) A SKIMMING DEVICE TO ACCESS, READ, SCAN, OBTAIN, MEMORIZE, OR STORE PERSONAL IDENTIFYING INFORMATION OR A PAYMENT DEVICE NUMBER ON THE MAGNETIC STRIP OR STRIPE OF A CREDIT CARD WITHOUT THE CONSENT OF THE INDIVIDUAL AUTHORIZED TO USE THE CREDIT CARD.

(E) A PERSON MAY NOT KNOWINGLY, WILLFULLY, AND WITH FRAUDULENT INTENT POSSESS, OBTAIN, OR HELP ANOTHER POSSESS OR OBTAIN A RE-ENCODER DEVICE OR A SKIMMING DEVICE FOR THE UNAUTHORIZED USE, SALE, OR TRANSFER OF PERSONAL IDENTIFYING INFORMATION OR A PAYMENT DEVICE NUMBER.

~~(d)~~ (F) A person may not knowingly and willfully claim to represent another person without the knowledge and consent of that person, with the intent to solicit, request, or take any other action to otherwise induce another person to provide personal identifying information or a payment device number.

~~(e)~~ (G) (1) A person who violates this section where the benefit, credit, good, service, or other thing of value that is the subject of subsection ~~(b) or (c)~~ (B), (C), OR (D) of this section has a value of \$500 or greater is guilty of a felony and on conviction is subject to imprisonment not exceeding [5] 15 years or a fine not exceeding ~~[\$25,000] \$50,000~~ or both.

(2) A person who violates this section where the benefit, credit, good, service, or other thing of value that is the subject of subsection ~~(b) or (c)~~ (B), (C), OR (D) of this section has a value of less than \$500 is guilty of a misdemeanor and on conviction is subject to

~~(H) FOR A FIRST VIOLATION,~~ imprisonment not exceeding 18 months or a fine not exceeding \$5,000 or both; ~~OR~~