

SENATE No. 970

The Commonwealth of Massachusetts

PRESENTED BY:

James E. Timilty

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act to regulate skimming devices.

PETITION OF:

NAME:

James E. Timilty

DISTRICT/ADDRESS:

Bristol and Norfolk

SENATE No. 970

By Mr. Timilty, a petition (accompanied by bill, Senate, No. 970) of James E. Timilty for legislation to regulate skimming devices. The Judiciary.

The Commonwealth of Massachusetts

**In the One Hundred and Ninetieth General Court
(2017-2018)**

An Act to regulate skimming devices.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 Section 1. Section 49 of Chapter 266 of the General Laws, as appearing in the 2014
2 official Edition is hereby amended by adding the following.

3 Section 2. Definitions: “Skimming device” – defined as any card, plate, code, equipment,
4 instrument or device that can be used alone or in conjunction with another access device or
5 camera, to obtain money, goods, services, or personal identification information encoded within
6 a credit or debit card’s magnetic strip.

7 Section 3. Whoever – (1) Knowingly and with intent to defraud or obtain money, goods,
8 services, or personal identification information encoded within a credit or debit card’s magnetic
9 strip produces, uses, attaches, affixes, traffics or has in his(her) control or custody one or more
10 skimming access device(s) used to read credit card and/or debt card numbers; or (2) Knowingly
11 and with intent to defraud traffics in or uses one or more unauthorized skimming access devices,
12 and by such conduct obtains any personal information of another or anything of value; or (3)

13 Any person who, knowingly and with intent to decode and obtain personal identification
14 information encoded within another individual's credit or debit card's magnetic strip, knowingly
15 possesses any item, article, implement, or device designed for the purpose of obtaining personal
16 identification information of another; shall be punished by imprisonment in the state prison for
17 not more than ten years or by a fine of not more than one thousand dollars and imprisonment in
18 jail for not more than two and one half years.