

## LAWS OF ARIZONA

## CHAPTER 112

## Senate Bill 1267

## AN ACT

RELATING TO CRIMES; PRESCRIBING PENALTY FOR THEFT OF CREDIT CARD, AND AMENDING SECTION 13-1073, ARIZONA REVISED STATUTES.

**Be it enacted by the Legislature of the State of Arizona:**

Section 1. Section 13-1073, Arizona Revised Statutes, is amended to read:

**13-1073. Theft of credit card; obtaining card by fraudulent means; penalties**

A. Every person who takes a credit card from the possession, custody or control of any person, without the cardholder's or issuer's consent or who, with knowledge that it has been so taken, receives the credit card with intent to use it, to sell it or to transfer it to a person other than the issuer or the cardholder ~~is guilty of a misdemeanor~~ **SHALL BE PUNISHED BY IMPRISONMENT IN THE STATE PRISON FOR NOT LESS THAN ONE NOR MORE THAN FIVE YEARS, OR BY IMPRISONMENT IN A COUNTY JAIL FOR NOT TO EXCEED ONE YEAR.** Taking a credit card without consent includes obtaining it by conduct defined or known as theft, embezzlement or obtaining property by false pretense, false promise or extortion.

B. Every person who receives a credit card that he knows to have been **STOLEN**, lost, mislaid or delivered under a mistake as to the identity or address of the cardholder, and who retains possession with intent to use it, to sell it or to transfer it to a person other than the issuer or the cardholder ~~is guilty of a misdemeanor~~ **SHALL BE PUNISHED BY IMPRISONMENT IN THE STATE PRISON FOR NOT LESS THAN ONE NOR MORE THAN FIVE YEARS, OR BY IMPRISONMENT IN A COUNTY JAIL FOR NOT TO EXCEED ONE YEAR.**

C. Every person other than the issuer who sells, transfers, conveys, **POSSESSES** or receives a credit card with the intent to defraud ~~is guilty of a misdemeanor~~ **SHALL BE PUNISHED BY IMPRISONMENT IN THE STATE PRISON FOR NOT LESS THAN ONE NOR MORE THAN FIVE YEARS, OR BY IMPRISONMENT IN A COUNTY JAIL FOR NOT TO EXCEED ONE YEAR.**

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D. Every person who, with intent to defraud, obtains possession, care, custody or control over a credit card as security for debt ~~is guilty of a misdemeanor~~ SHALL BE PUNISHED BY IMPRISONMENT IN THE STATE PRISON FOR NOT LESS THAN ONE NOR MORE THAN FIVE YEARS, OR BY IMPRISONMENT IN A COUNTY JAIL FOR NOT TO EXCEED ONE YEAR.

Approved by the Governor - May 8, 1972

Filed in the Office of the Secretary of State - May 8, 1972