

August 14, 2002

**H 1100. FINANCIAL FRAUD PROTECTION ENHANCEMENT.** Intro. 4/11/01. Senate committee substitute adopted 8/13/02 makes the following changes to 1st edition. Replaces original bill with more comprehensive prohibitions on financial fraud. Rewrites GS 14-119 to make forging or counterfeiting instruments, or possessing counterfeit instruments, with intent to injure or defraud person, financial institution, or government unit, a Class H felony; makes transporting or possessing five or more counterfeit instruments, with intent to injure or defraud, a Class G felony. Defines "instrument" to mean currency, bill, note, warrant, check, order, or similar instrument on or of financial institution or governmental unit, and any security issued by or on behalf of governmental unit. Amends GS 14-113.9(a) to expand definition of "financial transaction card theft" to include, with intent to defraud, using scanning device to access, read, obtain, memorize, or store information encoded on another's financial transaction card or receiving such encoded information from another's card. Amends GS 14-113.20 to expand financial identity fraud to include obtaining, possessing, or using identifying information from deceased, as well as living, persons; and to add biometric data, fingerprints, passwords, and a parent's legal surname before marriage to list of "identifying information." Adds new GS 14-113.20A, making it illegal to sell, transfer, or purchase identifying information of another person with intent to commit financial identity fraud or to assist another person in doing so, punishable as Class E felony. Makes these changes effective Dec 1, 2002.

Amends GS 14-113.22 to increase penalties for violations of GS 14-113.20 as follows: basic violation is punishable as Class G (was Class H) felony; violation is Class F (was Class G) felony if victim suffers arrest, detention, or conviction as result of felony; violation is Class F felony is person in possession of identifying information of three or more persons. Adds new GS 1-539.2C, transferring to new section civil damage provisions of GS 14-113.22(b). Makes these changes effective Oct. 1, 2002.

September 24, 2002

**H 1100. FINANCIAL FRAUD PROTECTION ENHANCEMENT.** Intro. 4/11/01. Senate committee substitute makes the following changes to 2nd edition. Establishes an effective date of 12/1/02 for all provisions of act.