

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2021**

**HOUSE BILL 238
RATIFIED BILL**

AN ACT TO PROHIBIT THE POSSESSION OF CREDIT CARD SKIMMING DEVICES.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 14-113.8 reads as rewritten:

"§ 14-113.8. Definitions.

The following words and phrases as used in this Chapter, unless a different meaning is plainly required by the context, shall have the following meanings:

- ...
- (10) Scanning Device. – "Scanning device" means a scanner, reader, or any other device that is used to access, read, scan, obtain, memorize, or store, temporarily or permanently, information encoded on a financial transaction card. This term does not include a skimming device.
 - (11) Skimming Device. – A self-contained device that (i) is designed to read and store in the device's internal memory information encoded on the computer chip, magnetic strip or stripe, or other storage mechanism of a financial transaction card or from another device that directly reads the information from a financial transaction card and (ii) is incapable of processing the financial transaction card information for the purpose of obtaining, purchasing, or receiving goods, services, money, or anything else of value from a merchant."

SECTION 2. G.S. 14-113.9(a) is amended by adding a new subdivision to read:

- "(6) Knowingly possesses, sells, or delivers a skimming device. The prohibition set forth in this subdivision does not apply to an employee, officer, or agent of any of the following while acting within the scope of the person's official duties:
- a. A law enforcement agency.
 - b. A State or federal court.
 - c. An agency or department of the State, local, or federal government.
 - d. A financial or retail security investigator employed by a merchant."



SECTION 3. This act becomes effective December 1, 2021, and applies to offenses committed on or after that date.

In the General Assembly read three times and ratified this the 22nd day of June, 2021.

s/ Phil Berger
President Pro Tempore of the Senate

s/ Tim Moore
Speaker of the House of Representatives

Roy Cooper
Governor

Approved _____m. this _____ day of _____, 2021