

25104767D

HOUSE BILL NO. 2650

Offered January 14, 2025

A BILL to amend and reenact § 18.2-192 of the Code of Virginia, relating to gift certificate theft; penalty.

Patron—Leftwich

Referred to Committee for Courts of Justice

Be it enacted by the General Assembly of Virginia:

1. That § 18.2-192 of the Code of Virginia is amended and reenacted as follows:

§ 18.2-192. Credit card, credit card number, or gift certificate theft.

(1) A person is guilty of credit card ~~or~~, credit card number, or gift certificate theft when:

(a) He takes, obtains or withholds a credit card ~~or~~, credit card number, or gift certificate from the person, possession, custody or control of another without the cardholder's or certificate owner's consent or who, with knowledge that it has been so taken, obtained or withheld, receives the credit card ~~or~~, credit card number, or gift certificate with intent to use it or sell it, or to transfer it to a person other than the issuer ~~or~~, the cardholder, or the certificate owner; ~~or~~

(b) He receives a credit card ~~or~~, credit card number, or gift certificate that he knows to have been lost, mislaid, or delivered under a mistake as to the identity or address of the cardholder, and who retains possession with intent to use, to sell or to transfer the credit card ~~or~~, credit card number, or gift certificate to a person other than the issuer ~~or~~, the cardholder, or the certificate owner; ~~or~~

(c) He, not being the issuer, sells a credit card ~~or~~, credit card number, or gift certificate or buys a credit card ~~or~~, credit card number, or gift certificate from a person other than the issuer; or

(d) He, not being the issuer, during any ~~twelve-month~~ 12-month period, receives credit cards or credit card numbers issued in the names of two or more persons ~~which~~ that he has reason to know were taken or retained under circumstances ~~which~~ that constitute a violation of § 18.2-194 and subdivision (1) (c) of this section.

(2) Credit card ~~or~~, credit card number, or gift certificate theft is grand larceny and is punishable as provided in § 18.2-95.

(3) For the purposes of this section, "gift certificate" means the same as that term is defined in § 59.1-530.

2. That the provisions of this act may result in a net increase in periods of imprisonment or commitment. Pursuant to § 30-19.1:4 of the Code of Virginia, the estimated amount of the necessary appropriation cannot be determined for periods of imprisonment in state adult correctional facilities; therefore, Chapter 2 of the Acts of Assembly of 2024, Special Session I, requires the Virginia Criminal Sentencing Commission to assign a minimum fiscal impact of \$50,000. Pursuant to § 30-19.1:4 of the Code of Virginia, the estimated amount of the necessary appropriation cannot be determined for periods of commitment to the custody of the Department of Juvenile Justice.

INTRODUCED

HB2650