



NEW YORK STATE SENATOR

Stephen M. Saland

Senator Saland's Bill to Criminalize Stealing Credit and Debit Card Numbers Has Passed the Senate

STEPHEN M. SALAND February 7, 2011

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Senator Steve Saland (R, I, C – Poughkeepsie) announced that his bill to include theft of credit or debit card numbers within the crime of grand larceny in the fourth degree has passed the Senate today.

“Credit card thieves continue to become more savvy and creative. In years past when shopping was always done in person in a store, a thief had to actually possess a stolen credit card to use it fraudulently,” said Senator Saland. “Now that we shop by phone and over the Internet, it’s no longer necessary to swipe your credit card to make a purchase. Surprisingly, while it is against the law to steal credit card, it is not against the law to steal a credit card number.”

It is an E felony to steal a credit card or debit card, however if a thief steals a credit or debit card number, no crime has been committed until the thief actually uses the account number to obtain goods, money or services.

There are numerous ways credit and debit card information can be stolen. A credit or debit card can be entered into a device to capture account information; account numbers can be obtained during sales transactions, computer hackers can lift credit card numbers and accounts can be compromised through phishing – sending fraudulent emails purporting to be legitimate companies which solicit credit card information.

“Criminals are finding clever avenues to circumvent the laws and with rapidly changing technology, our laws need to be amended to give law enforcement the tools they need to protect the public.”

Upon passage in the Senate, this bill was sent to the Assembly for consideration.