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MEMORANDUM

To: House Committee on Judiciary
From: Office of Revisor of Statutes
Date: February 27, 2025
Subject: Bill Brief for SB 84 (As Introduced)

Senate Bill 84 modifies the crime of criminal use of a financial card to include certain conduct involving gift cards.

The bill amends K.S.A. 21-5828, the crime of criminal use of a financial card, to add two new violations of the crime. The first is acquiring or retaining possession of a gift card or gift card redemption information without the consent of the cardholder, gift card issuer, or gift card seller. The second is altering or tampering with a gift card. The penalty for violation is: a class A nonperson misdemeanor if the goods obtained within a seven-day period are valued at less than \$1,000; a severity level 9, nonperson felony if such value is at least \$1,000 and less than \$25,000; and a severity level 7, nonperson felon if such value is \$25,000 or more.

The section is also amended to add definitions of cardholder, closed-loop gift card, gift card, gift card issuer, gift card redemption information, gift card seller, and open-loop gift card.

The bill would take effect from and after publication in the statute book, July 1, 2025.