Cherokee Nation Code Annotated
Title 21: Crimes and Punishments
Part VII. Crimes Against Property
Chapter 61: False Pretenses, False Personations, Cheats and Frauds
§ 1550.39. Use of scanning or skimming device on credit or debit cards--Use of reencoder on credit or debit cards--Possession of skimming device
Cite as: 21 CNCA § 1550.39

A. Every person who:

1. Uses a scanning device or skimming device to access, read, obtain, memorize or store, temporarily or permanently, information encoded on the computer chip, magnetic strip or stripe or other storage mechanism of a credit card or debit card without the permission of the authorized user of the credit card or debit card and with the intent to defraud the authorized user or the issuer of the credit card or debit card or a person or organization providing money, goods, services or anything else of value;

2. Uses a reencoder to place information encoded on the computer chip, magnetic strip or stripe or other storage mechanism of a credit card or debit card onto the computer chip, magnetic strip or stripe or other storage mechanism of a different card without the permission of the authorized user of the credit card or debit card from which the information is being reencoded and with the intent to defraud the authorized user or the issuer of the credit card or debit card or a person or organization providing money, goods, services or anything else of value; or

3. Possesses with the intent to sell, deliver or use a skimming device, is, upon conviction, guilty of an offense and is subject to the penalties set forth in subsection B of Section 1550.33 of Title 21 of the Oklahoma Statutes.

B. The provisions of paragraph 3 of subsection A of this section shall not apply to the following individuals while acting within the scope of their official duties:

1. An employee, officer or agent of:

a. a law enforcement agency or criminal prosecuting authority for the state or federal government,

b. the state court system or federal court system, or

c. an executive branch agency in this state; or

2. A financial or retail security investigator employed by a person or organization providing money, goods, services or anything else of value.

Historical Data

LA 07-21, eff. February 22, 2021.