

HB 1175-FN - VERSION ADOPTED BY BOTH BODIES

2026 SESSION

26-2631
09/08

HOUSE BILL ***1175-FN***

AN ACT relative to the offense of use of scanning device or reencoder to defraud.

SPONSORS: Rep. Alexander Jr., Hills. 29; Rep. Kuttab, Rock. 17; Rep. A. Murray, Hills. 20;
Rep. Rhodes, Ches. 17; Rep. Rice, Hills. 38; Rep. Roy, Rock. 31; Sen. Lang, Dist 2;
Sen. Reardon, Dist 15; Sen. Sullivan, Dist 18; Sen. Ricciardi, Dist 9

COMMITTEE: Criminal Justice and Public Safety

ANALYSIS

This bill updates the offense prohibiting the use of a scanning device or reencoder to defraud by including the scanning and reencoding of information contained on integrated circuit chips of payment cards instead of just magnetic strips or stripes.

Explanation: Matter added to current law appears in ***bold italics***.
Matter removed from current law appears [~~in brackets and struckthrough.~~]
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty-Six

AN ACT relative to the offense of use of scanning device or reencoder to defraud.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 1 Use of Scanning Device or Reencoder to Defraud Prohibited. Amend RSA 638:29, I to read as
2 follows:

3 I. A person is guilty of the crime of using a scanning device or reencoder to defraud when the
4 person knowingly:

5 (a) Uses a scanning device to access, read, obtain, memorize, or store, temporarily or
6 permanently, information encoded on the magnetic strip or stripe ***or on an integrated circuit***
7 ***chip*** of a payment card without the permission of the authorized user of the payment card and with
8 the intent to defraud the authorized user, the issuer of the authorized user's payment card, or a
9 merchant; or

10 (b) Uses a reencoder to place information encoded on the magnetic strip or stripe ***or***
11 ***integrated circuit chip*** of a payment card onto the magnetic strip or stripe ***or integrated circuit***
12 ***chip*** of a different card without the permission of the authorized user of the card from which the
13 information is being reencoded and with the intent to defraud the authorized user, the issuer of the
14 authorized user's payment card, or a merchant.

15 2 Effective Date. This act shall take effect January 1, 2027.

**HB 1175-FN- FISCAL NOTE
AS INTRODUCED**

AN ACT relative to the offense of use of scanning device or reencoder to defraud.

FISCAL IMPACT:

Estimated State Impact				
	FY 2026	FY 2027	FY 2028	FY 2029
Revenue	\$0	\$0	\$0	\$0
<i>Revenue Fund</i>	None			
Expenditures*	Indeterminable			
<i>Funding Source</i>	General Fund			
Appropriations*	\$0	\$0	\$0	\$0
<i>Funding Source</i>	None			

*Expenditure = Cost of bill

*Appropriation = Authorized funding to cover cost of bill

Estimated Political Subdivision Impact				
	FY 2026	FY 2027	FY 2028	FY 2029
County Revenue	\$0	\$0	\$0	\$0
County Expenditures	Indeterminable			
Local Revenue	\$0	\$0	\$0	\$0
Local Expenditures	Indeterminable			

METHODOLOGY:

This bill adds, deletes, or modifies a criminal penalty, or changes statute to which there is a penalty for violation. Therefore, this bill may have an impact on the judicial and correctional systems, which could affect prosecution, incarceration, probation, and parole costs, for the state, as well as county and local governments. A summary of such costs can be found at: https://gencourt.state.nh.us/lba/Budget/Fiscal_Notes/JudicialCorrectionalCosts.pdf

AGENCIES CONTACTED:

Judicial Branch, Judicial Council, Department of Justice, Department of Corrections, New Hampshire Association of Counties, and New Hampshire Municipal Association