

Automated Sales Suppression Devices; HB 2488

HB 2488 creates the crime of knowingly selling, purchasing, installing, transferring, manufacturing, creating, designing, updating, repairing, using, or possessing automated sales suppression devices or phantom-ware.

The bill defines an “automated sales suppression device” to include a computer software program carried on a memory stick or removable compact disc that is accessed through an Internet link or any other means that falsifies electronic records of electronic cash registers and other point-of-sale systems. “Phantom-ware” is generally defined as a hidden programming option embedded in the operating system or hardwired into an electronic cash register that is used to create a virtual second till or eliminate or manipulate selected transaction records.

An unlawful act under the bill is considered a severity level 7 nonperson felony. The bill also clarifies that persons convicted under the law are liable for all taxes, interest, and penalties due as a result of such unlawful acts.