

## HR 9248

Safe Access to Cash Act of 2022

**Congress:** 117 (2021–2023, Ended)

**Chamber:** House

**Policy Area:** Crime and Law Enforcement

**Introduced:** Oct 28, 2022

**Current Status:** Referred to the House Committee on the Judiciary.

**Latest Action:** Referred to the House Committee on the Judiciary. (Oct 28, 2022)

**Official Text:** <https://www.congress.gov/bill/117th-congress/house-bill/9248>

### Sponsor

**Name:** Rep. Maloney, Carolyn B. [D-NY-12]

**Party:** Democratic • **State:** NY • **Chamber:** House

### Cosponsors (2 total)

Cosponsor	Party / State	Role	Date Joined
Rep. Rose, John W. [R-TN-6]	R · TN		Oct 28, 2022
Rep. Carson, Andre [D-IN-7]	D · IN		Nov 3, 2022

### Committee Activity

Committee	Chamber	Activity	Date
Judiciary Committee	House	Referred To	Oct 28, 2022

### Subjects & Policy Tags

#### Policy Area:

Crime and Law Enforcement

### Related Bills

*No related bills are listed.*

## **Safe Access to Cash Act of 2022**

This bill establishes a new federal statutory framework to govern robbery offenses involving ATMs and related conduct.

Currently, the federal bank robbery statute makes it a federal crime to take or attempt to take by force and violence or by intimidation, money or other property from any bank, credit union, or savings and loan association. A violation is punishable by a statutory maximum prison term of 20 years (or 25 years, if the offense includes assault or use of a dangerous weapon).

However, federal circuit courts have split on whether forcing someone to withdraw money from an ATM qualifies as an offense under the federal bank robbery statute. In *United States v. Chavez*, the Fifth Circuit Court of Appeals held that the bank customer, rather than the bank, had possession of the funds when the robbery occurred, so a necessary element of the federal bank robbery statute--that the money belonged to the bank--was not satisfied. In contrast, the Tenth, Seventh, and Fourth Circuits have held that directly forcing a bank customer to withdraw money from an ATM constitutes a federal bank robbery because the funds belonged to the bank when the withdrawal occurred.

This bill establishes new statutory criminal offenses for ATM robbery and related offenses such as ATM theft. A violation is subject to the same criminal penalties as an offense under the federal bank robbery statute--a statutory maximum prison term of 20 years (or 25 years, if the offense includes assault or use of a dangerous weapon).

## **Actions Timeline**

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- **Oct 28, 2022:** Introduced in House
- **Oct 28, 2022:** Referred to the House Committee on the Judiciary.