

119TH CONGRESS
2D SESSION

S. 3798

AN ACT

To amend title 18, United States Code, to establish criminal offenses with respect to violations involving ATMs, regardless of whether the ATM is located on the physical premises of a financial institution, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Safe Access to Cash
3 Act of 2026”.

4 **SEC. 2. OFFENSES RELATED TO ATM ROBBERY AND INCI-**
5 **DENTAL CRIMES.**

6 (a) IN GENERAL.—Chapter 103 of title 18, United
7 States Code, is amended by inserting after section 2113
8 the following:

9 **“§ 2113A. ATM robbery and incidental crimes**

10 “(a) OFFENSES AGAINST ATM USERS AND
11 SERVICERS.—Whoever, by force or violence, or by intimi-
12 dation, takes, or attempts to take, any property or money
13 or any other thing of value from any person using or serv-
14 icing, or attempting to use or service, an ATM, or who
15 extorts or attempts to obtain by extortion, any property
16 or money or any other thing of value from any such per-
17 son, where the offense is committed in direct and imme-
18 diate connection with such use or service, or from any
19 owner or operator of any ATM, while knowing that such
20 person is engaged in transporting or delivering property
21 to be loaded into such ATM, or from any person, knowing
22 such person to be engaged in the transport or delivery of
23 property to be loaded into such ATM, pursuant to a con-
24 tract with, or employment by, such owner or operator,
25 shall be fined under this title or imprisoned not more than
26 20 years, or both.

1 “(b) OFFENSES AGAINST PROPERTY.—

2 “(1) OFFENSES EXCEEDING \$1,000.—Whoever
3 breaks into, tampers with, damages, removes, or
4 steals any ATM without authorization of the owner
5 or operator of any such ATM, and removes, with in-
6 tent to steal or purloin, any property or money from
7 any such ATM exceeding \$1,000, shall be fined
8 under this title or imprisoned not more than 10
9 years, or both.

10 “(2) OFFENSES NOT EXCEEDING \$1,000.—Who-
11 ever breaks into, tampers with, damages, removes,
12 or steals any ATM without authorization of the
13 owner or operator of any such ATM, and removes,
14 with intent to steal or purloin, any property or
15 money from any such ATM not exceeding \$1,000,
16 shall be fined under this title or imprisoned not
17 more than 1 year, or both.

18 “(c) RECEIPT, POSSESSION, CONCEALMENT, STOR-
19 AGE, BARTER, SALE, OR DISPOSAL OF PROPERTY AC-
20 QUIRED UNLAWFULLY UNDER THIS SECTION.—Whoever
21 receives, possesses, conceals, stores, barter, sells, or dis-
22 poses of, any property or money or other thing of value
23 that has been taken in violation of subsection (b), knowing
24 the same to be property that has been unlawfully taken,

1 shall be subject to the punishment provided in subsection
 2 (b), as applicable, for the taker.

3 “(d) ASSAULT IN CONNECTION WITH OFFENSES.—

4 Whoever, in committing, or in attempting to commit, any
 5 offense defined in subsection (a) or (b), forcibly assaults
 6 any person, or puts in jeopardy the life of any person by
 7 the use of a dangerous weapon or device, shall be fined
 8 under this title or imprisoned not more than 25 years, or
 9 both.

10 “(e) KILLING OR FORCED ACCOMPANIMENT IN CON-

11 NECTION WITH OFFENSES.—Whoever, in committing any
 12 offense defined in this section, or in avoiding or attempt-
 13 ing to avoid apprehension for the commission of such of-
 14 fense, or in freeing himself or attempting to free himself
 15 from arrest or confinement for such offense, kills any per-
 16 son, or forces any person to accompany the offender with-
 17 out the consent of such person, shall be imprisoned not
 18 more than 30 years, or, if death results, shall be impris-
 19 oned for any term of years or life.

20 “(f) DEFINITIONS.—In this section:

21 “(1) ATM.—The term ‘ATM’—

22 “(A) means any network-connected auto-
 23 mated teller machine terminal that is connected
 24 to 1 or more of the global, national, or regional
 25 electronic financial networks that allow a de-

positor of any bank, credit union, or savings
 and loan association, by use at such automated
 teller machine of a card or other access device,
 as defined in section 1029(e)(1), issued or au-
 thorized by such depository institution, to ac-
 cess the account of the depositor for the pur-
 pose of making withdrawals from or deposits to
 such account, or making inquiry as to the bal-
 ance in such account; and

“(B) includes any automated teller ma-
 chine owned, operated, or sponsored by a bank,
 credit union, or any savings and loan associa-
 tion, regardless of whether—

“(i) the automated teller machine is
 located on the physical premises of such an
 institution; or

“(ii) the automated teller machine is
 owned or operated by such an institution.

“(2) BANK; CREDIT UNION; SAVINGS AND LOAN
 ASSOCIATION.—The terms ‘bank’, ‘credit union’, and
 ‘savings and loan association’ have the meanings
 given those terms in section 2113.”.

1 (b) CLERICAL AMENDMENT.—The table of sections
2 for chapter 103 of title 18, United States Code, is amend-
3 ed by inserting after the item relating to section 2113 the
4 following:

“2113A. ATM robbery and incidental crimes.”.

Passed the Senate September 30, 2026.

Attest:

Secretary.

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