

June 2007

TITLE 51

Sales and Exchanges

Summary of Bills Enacted by 2007 Legislative Assembly

This memorandum summarizes 2007 legislation primarily affecting North Dakota Century Code Title 51. Bills primarily affecting other titles may also affect this title, and relevant provisions of those bills are summarized in this memorandum.

House Bill No. 1417 provides the procedure by which a consumer may place a security freeze on the consumer's consumer credit file.

Senate Bill No. 2040, as part of the deceptive acts and practices law, provides it is a prohibited act to provide assistance or support to a person engaged in an act or practice in violation of the deceptive acts and practices law.

Senate Bill No. 2266, as part of the deceptive acts and practices law, provides it is a prohibited act to offer a check that contains an obligation to advertise with a person upon the endorsement of the check or to bill a person for goods not yet ordered or for services not yet performed and not yet ordered.

House Bill No. 1507, as part of the electronic mail consumer protection law, provides it is a Class C felony to make an untrue communication that is calculated to mislead and which is made to induce, request, or solicit property or identifying information; provides it is a Class C felony to create a web page that falsely represents and may induce a user to provide property or identifying information; and provides it is a Class C felony to alter the settings on a user's computer or software program through which the user may search the Internet and may mislead and induce the user to provide property or identifying information.

Senate Bill No. 2195 clarifies that for purposes of the telephone solicitations law a message includes voice, text, or other electronic communication and that a telephone line means a telephone service to a subscriber, regardless of the technology used to provide the service.

Senate Bill No. 2255 provides a person may not procure, attempt to procure, solicit, or conspire with another to procure a telephone record of any resident of this state without the authorization of the customer or by fraudulent, deceptive, or false means; sell or attempt to sell a telephone record of any resident of this state without the customer's authorization; or receive a telephone record of any resident of this state when the record has been obtained without the customer's authorization or by fraudulent, deceptive, or false means.