Sixty-eighth Legislative Assembly of North Dakota

HOUSE BILL NO. 1143

Introduced by

Representatives Schauer, Brandenburg, Fisher, Heinert, Ista

Senators Kannianen, Luick

- 1 A BILL for an Act to amend and reenact section 12.1-23-02 of the North Dakota Century Code,
- 2 relating to theft of property; and to provide a penalty.

3 BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

4 SECTION 1. AMENDMENT. Section 12.1-23-02 of the North Dakota Century Code is

5 amended and reenacted as follows:

6 **12.1-23-02. Theft of property.**

- 7 A person is guilty of theft if hethe person:
- Knowingly takes or exercises unauthorized control over, or makes an unauthorized
 transfer of an interest in, the property of another with intent to deprive the owner
 thereof;
- Knowingly obtains the property of another by deception or by threat with intent to
 deprive the owner thereof, or intentionally deprives another of his property by
 deception or by threat; or
- 14 3. Knowingly receives, retains, or disposes of property of another which has been stolen,
 15 with intent to deprive the owner thereof: or
- 16 4. Knowingly leases or rents personal property under a written instrument and:
- 17 <u>a.</u> Does not return the property to the owner at the end of the lease or rental term,
 18 plus agreed-upon extensions, with intent to wrongfully deprive the owner of
 19 possession of the property;
- 20b.Presented identification to the owner or the owner's agent which was materially21false, fictitious, or not current with respect to name, address, place of
- 22 employment, or other appropriate items, with intent to obtain the property under
- 23 <u>false pretenses or abscond without payment; or</u>

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	<u>C.</u>	Returns the property to the owner at the end of the lease or rental term, plus
		agreed-upon extensions, but does not pay the lease or rental charges agreed
		upon in the written instrument, with intent to wrongfully deprive the owner of the
		agreed-upon charges.
<u>5.</u>	<u>For</u>	purposes of subsection 4, the value of the leased or rented property must be at
	leas	at one hundred dollars.
	<u>5.</u>	<u>5.</u> For