

CARRIAGE

CHAPTER 76

SENATE BILL NO. 2261
(Sands, Thane, Freed)

TELECOMMUNICATION OFFENSES

AN ACT to create and enact sections 8-10-07.2 and 8-10-07.3 of the North Dakota Century Code, relating to the criminal offense of making, selling, or possessing a device to be used for fraudulently obtaining telecommunication services, and to the criminal offense of publishing a credit card number or code with intent or belief that it will be used to avoid lawful telecommunication charges, and providing penalties.

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

SECTION 1.) Section 8-10-07.2 of the North Dakota Century Code is hereby created and enacted to read as follows:

8-10-07.2. UNLAWFUL USE OF TELECOMMUNICATION DEVICES.) A person shall be guilty of a misdemeanor if he willfully:

1. Makes or possesses any device adapted or which can be adapted to obtain telecommunication services, or to conceal from any supplier of telecommunication services the existence, place of origin, or the destination of any telecommunication;
2. Sells, gives, or otherwise transfers to another, such a device; or
3. Offers or advertises such a device for sale, or offers or advertises plans or instructions for making or assembling the same;

under circumstances evincing intent to use such a device, or to allow such a device, or plans or instructions therefor, to be used, or knowing or having reason to believe that the same is intended to be used to fraudulently obtain telecommunications services shall be guilty of a misdemeanor.

SECTION 2.) Section 8-10-07.3 of the North Dakota Century Code is hereby created and enacted to read as follows:

8-10-07.3. FRAUDULENT PUBLICATION OF TELECOMMUNICATION CREDIT CARD NUMBERS OR CODES.) Every person who fraudulently publishes the number or code of an existing, canceled, revoked, expired, or nonexistent credit card, or the numbering or coding which is employed in the issuance of credit cards, with the intent that it be used or with knowledge or reason to believe that it will be used to avoid the payment of any lawful telecommunication toll charge shall be guilty of a misdemeanor.

Approved March 19, 1973