

Thank you, Madam Chair, and members of the Senate Judiciary Committee.

My name is Austen Schauer, representing District 13 in West Fargo.

I am here today seeking your support of **House Bill 1143**.

What is the definition of **theft**?

According to Webster, it's the **action or crime of stealing**.

That may not be as obvious as you may think.

Last Fall, I was contacted by an Equipment and Supply business in Fargo. It sells and rents construction equipment.

A man had rented some equipment valued at more than **40 thousand dollars**.

The rental payment agreement was set up with a credit card.

That worked fine for about three months and then the man **stopped** paying.

His credit card was repeatedly declined.

The phone number given to the rental company was **disconnected** and communication ended.

When the company contacted police, they said, "Sorry we can't do anything."

Why can't you?

"Because this kind of theft is considered a civil matter because of a rental contract."

The company then contacted an attorney...who said, the police are right.

There is **nothing** in the Century Code that covers this crime. Until now.

Is it a crime to **not** return rental property?

HB 1143 which makes it clear; stealing rental property is a crime.

Page 1, lines 16-23 and page 2, lines 1-6.

Thank you, Madam Chair, and committee members.

****Wrongfully****