

No. 546, S.

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CHAPTER 489

AN ACT to repeal and recreate 943.45 of the statutes, relating to obtaining telecommunications services by fraud, and providing penalties.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

943.45 of the statutes is repealed and recreated to read:

943.45 OBTAINING TELECOMMUNICATIONS SERVICE BY FRAUD. (1) Whoever with intent to defraud obtains or attempts to obtain telecommunications service by any of the following means may be penalized as provided in sub. (3):

(a) Charging such service to an existing telephone number or credit card number without the consent of the subscriber thereto or the legitimate holder thereof.

(b) Charging such service to a false, fictitious, suspended, terminated, expired, canceled or revoked telephone number or credit card number.

(c) Rearranging, tampering with or making connection with any facilities or equipment.

(d) Using a code, prearranged scheme, or other stratagem or device whereby said person in effect sends or receives information.

(e) Using any other contrivance, device or means to avoid payment of the lawful charges, in whole or in part, for such service.

(2) This section shall apply when the said telecommunications service either originates or terminates, or both, in this state, or when the charges for said telecommunications service would have been billable, in normal course, by a person providing telecommunications service in this state, but for the fact that said service was obtained, or attempted to be obtained, by one or more of the means set forth in sub. (1).

(3) Penalties for violation of this section are as follows:

(a) If the charges for the service obtained, or attempted to be obtained, do not exceed \$100, a fine of not more than \$200 or imprisonment for not more than 6 months or both.

(b) If the charges for the service obtained, or attempted to be obtained, exceed \$100, a fine of not more than \$1,000 or imprisonment for not more than one year or both.

(4) When there has been more than one unlawful obtaining, or attempt to obtain, by an offender, the aggregate of the charges for the telecommunications service unlawfully obtained, or attempted to be obtained, shall determine the grade of the offense.

Approved April 28, 1964.
