

CHAPTER 67

AN ACT to create 943.41 of the statutes, relating to the fraudulent use of credit cards, and providing a penalty.

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

943.41 of the statutes is created to read:

943.41 FRAUDULENT USE OF CREDIT CARDS. (1) Whoever obtains or attempts to obtain property or services on credit by any of the following means may, if the value of the property or services does not exceed \$100, be fined not more than \$100 or imprisoned not more than 30 days, or both, or if the value of the property or services exceeds \$100, be fined not more than \$500 or imprisoned not more than one year, or both:

(a) Uses a credit card which was issued to another, without his consent.

(b) Uses a credit card knowing that it has been revoked or canceled.

(c) Uses a credit card knowing that it has been falsely made or altered in any material respect.

(d) Uses the pretended number or description of a fictitious credit card.

(e) With intent to defraud, uses a credit card which has expired.

(2) In this section "credit card" means any device issued by a business organization or association of business organizations, or any club, authorizing the holder to obtain property or services on credit. It includes the number or description of any such device when the device itself is not produced at the time of obtaining credit.

(3) For purposes of this section a credit card may be revoked or canceled by notice given orally in person or by telephone, or in writing by mail or telegram. In the absence of proof of earlier delivery, such notice directed to the holder at the address given on his card or his last known address, bearing the return address of the sender, and deposited in the United States mail with sufficient postage attached, is presumed to have been received on the second day after mailing, or, if filed in the office of a telegraph company serving such address, is presumed to have been received on the day following such filing, unless, in either case, the sender has been notified of nondelivery.

Approved May 28, 1963.