

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 ~~he~~the person:

- 8 1. Knowingly takes or exercises unauthorized control over, or makes an unauthorized
9 transfer of an interest in, the property of another with intent to deprive the owner
10 thereof;
- 11 2. Knowingly obtains the property of another by deception or by threat with intent to
12 deprive the owner thereof, or intentionally deprives another of his property by
13 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 a. 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;
 - 20 b. Presented identification to the owner or the owner's agent which was materially
21 false, 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 false pretenses or abscond without payment; or

- 1 c. Returns the property to the owner at the end of the lease or rental term, plus
2 agreed-upon extensions, but does not pay the lease or rental charges agreed
3 upon in the written instrument, with intent to wrongfully deprive the owner of the
4 agreed-upon charges.
- 5 5. For purposes of subsection 4, the value of the leased or rented property must be at
6 least one hundred dollars.