

by telephone, radio or television, or in a writing of any kind, including without limitation a letter or memorandum, circular or handbill, newspaper or magazine article or book.

Laws 1973, c. 140, § 1, emerg. eff. May 10, 1973.

§21-1523. Penalties - Civil action for damages.

Any person convicted of violating a prohibition contained in this act shall be imprisoned for a term not exceeding one (1) year or fined not more than One Thousand Dollars (\$1,000.00), or both. Such person also shall be liable for the amount of the damages, loss and expense, including attorney fees and expenses of investigation incurred by any transmission company by reason of or resulting from the unlawful publication, directly or indirectly, such damages to be recovered in a civil action.

Laws 1973, c. 140, § 2, emerg. eff. May 10, 1973.

§21-1524. Falsely holding out as notary or performing notarial act - Penalty.

A. No person in this state shall hold himself out as a notary public, attach his signature as a notary public, use a notary public seal, or perform any notarial act unless he is authorized pursuant to the provisions of Section 114 of Title 49 of the Oklahoma Statutes to perform such acts.

B. Any person convicted of knowingly and willfully violating any of the provisions of this section shall be guilty of a misdemeanor.

Added by Laws 1986, c. 21, § 1, eff. Nov. 1, 1986.

§21-1531. False personation - Marriage - Becoming bail or surety - Execution of instrument - Creating liability or benefit.

Any person who falsely personates another, and in such assumed character:

1. Marries or pretends to marry, or to sustain the marriage relation toward another, with or without the connivance of such other person; or

2. Becomes bail or surety for any party, in any proceeding whatever, before any court or officer authorized to take such bail or surety; or

3. Subscribes, verifies, publishes, acknowledges or proves, in the name of another person, any written instrument, with intent that the same may be delivered or used as true; or

4. Does any other act whereby, if it were done by the person falsely personated, he might in any event become liable to any suit or prosecution, or to pay any sum of money, or to incur any charge, forfeiture or penalty, or whereby any benefit might accrue to the party personating, or to any other person;

shall be guilty of a felony punishable by imprisonment in the State

Penitentiary not exceeding ten (10) years.

R.L. 1910, § 2689. Amended by Laws 1997, c. 133, § 367, eff. July 1, 1999; Laws 1999, 1st Ex.Sess., c. 5, § 259, eff. July 1, 1999.

NOTE: Laws 1998, 1st Ex.Sess., c. 2, § 23 amended the effective date of Laws 1997, c. 133, § 367 from July 1, 1998, to July 1, 1999.

§21-1532. Receiving money or property intended for individual personated.

Any person who falsely personates another, and in such assumed character receives any money or property, that knowing it is intended to be delivered to the individual so personated, with intent to convert the same to his own use, or to that of another person who is not entitled thereto, shall be guilty of a felony punishable in the same manner and to the same extent as for larceny of the money or property so received.

R.L. 1910, § 2690. Amended by Laws 1997, c. 133, § 368, eff. July 1, 1999; Laws 1999, 1st Ex.Sess., c. 5, § 260, eff. July 1, 1999.

NOTE: Laws 1998, 1st Ex.Sess., c. 2, § 23 amended the effective date of Laws 1997, c. 133, § 368 from July 1, 1998, to July 1, 1999.

§21-1533. Penalties - Definitions - Certain defenses excluded.

A. Except as provided in subsection B of this section, every person who falsely personates any public officer, civil or military, any firefighter, any law enforcement officer, any emergency medical technician or other emergency medical care provider, or any private individual having special authority by law to perform any act affecting the rights or interests of another, or who assumes, without authority, any uniform or badge by which such officers or persons are usually distinguished, and in such assumed character does any act whereby another person is injured, defrauded, harassed, vexed or annoyed, upon conviction, is guilty of a misdemeanor punishable by imprisonment in the county jail not exceeding six (6) months, or by a fine not exceeding Two Thousand Dollars (\$2,000.00), or by both such fine and imprisonment.

B. Every person who falsely personates any public officer or any law enforcement officer in connection with or relating to any sham legal process shall, upon conviction, be guilty of a felony, punishable by imprisonment in the custody of the Department of Corrections for not more than two (2) years, or a fine not exceeding Five Thousand Dollars (\$5,000.00), or both such fine and imprisonment.

C. Every person who falsely asserts authority of law not provided for by federal or state law in connection with any sham legal process shall, upon conviction, be guilty of a felony, punishable by imprisonment in the custody of the Department of Corrections for not more than two (2) years, or a fine not exceeding Five Thousand Dollars (\$5,000.00), or both such fine and

imprisonment.

D. Every person who, while acting falsely in asserting authority of law, attempts to intimidate or hinder a public official or law enforcement officer in the discharge of official duties by means of threats, harassment, physical abuse, or use of sham legal process shall, upon conviction, be guilty of a felony punishable by imprisonment in the custody of the Department of Corrections for not more than two (2) years, or a fine not exceeding Five Thousand Dollars (\$5,000.00), or both such fine and imprisonment.

E. Any person who, without authority under federal or state law, acts as a supreme court justice, a district court judge, an associate district judge, a special judge, a magistrate, a clerk of the court or deputy, a notary public, a juror or other official holding authority to determine a controversy or adjudicate the rights or interests of others, or signs a document in such capacity, shall, upon conviction, be guilty of a felony punishable by imprisonment in the custody of the Department of Corrections for not more than two (2) years, or a fine not exceeding Five Thousand Dollars (\$5,000.00), or both such fine and imprisonment.

F. Every person who uses any motor vehicle or motor-driven cycle usually distinguished as a law enforcement vehicle or equips any motor vehicle or motor-driven cycle with any spot lamps, audible sirens, or flashing lights, in violation of Section 12-217, 12-218 or 12-227 of Title 47 of the Oklahoma Statutes, or in any other manner uses any motor vehicle or motor-driven cycle:

1. Which, by markings that conform to or imitate the markings required or authorized in subsection B of Section 151 of Title 47 of the Oklahoma Statutes and used by the Oklahoma Highway Patrol Division of the Department of Public Safety, conveys to any person the impression or appearance that it is a vehicle of the Oklahoma Highway Patrol shall, upon conviction, be guilty of a misdemeanor punishable by imprisonment in the county jail for not more than one (1) year, or by a fine not exceeding Five Hundred Dollars (\$500.00), or both fine and imprisonment; provided, nothing in this paragraph shall be construed to prohibit the use of such a vehicle for exhibitions, club activities, parades, and other functions of public interest and which is not used on the public roads, streets, and highways for regular transportation; or

2. For the purpose of falsely personating a law enforcement officer and who in such assumed character commits any act whereby another person is injured, defrauded, harassed, vexed or annoyed shall, upon conviction, be guilty of a felony punishable by imprisonment in the custody of the Department of Corrections not exceeding ten (10) years, or by a fine not exceeding Ten Thousand Dollars (\$10,000.00), or by both such fine and imprisonment.

G. 1. Any person who displays or causes to be displayed the words "State Police" alone or in conjunction with any other word or

words on any motor vehicle, badge, clothing, identification card, or any other object or document with the intent to communicate peace officer or investigating authority shall, upon conviction, be guilty of a misdemeanor punishable by a fine not exceeding One Thousand Dollars (\$1,000.00). This paragraph shall not apply to any officer with statewide investigatory or law enforcement authority.

2. Any person who displays or causes to display such words as provided in this subsection for the purpose of falsely personating a law enforcement officer and as such commits any act whereby another person is injured, defrauded, harassed, vexed or annoyed shall, upon conviction, be guilty of a felony punishable by imprisonment in the custody of the Department of Corrections not exceeding ten (10) years, or by a fine not exceeding Ten Thousand Dollars (\$10,000.00), or by both such fine and imprisonment.

H. As used in this section:

1. "Sham legal process" means the issuance, display, delivery, distribution, reliance on as lawful authority, or other use of an instrument that is not lawfully issued, whether or not the instrument is produced for inspection or actually exists, and purports to do any of the following:

- a. to be a summons, subpoena, judgment, arrest warrant, search warrant, or other order of a court recognized by the laws of this state, a law enforcement officer commissioned pursuant to state or federal law or the law of a federally recognized Indian tribe, or a legislative, executive, or administrative agency established by state or federal law or the law of a federally recognized Indian tribe,
- b. to assert jurisdiction or authority over or determine or adjudicate the legal or equitable status, rights, duties, powers, or privileges of any person or property, or
- c. to require or authorize the search, seizure, indictment, arrest, trial, or sentencing of any person or property; and

2. "Lawfully issued" means adopted, issued, or rendered in accordance with the applicable statutes, rules, regulations, and ordinances of the United States, a state, or a political subdivision of a state.

I. It shall not be a defense to a prosecution under subsection B, C, D or E of this section that:

1. The recipient of the sham legal process did not accept or believe in the authority falsely asserted in the sham legal process;
2. The person violating subsection B, C, D or E of this section does not believe in the jurisdiction or authority of this state or of the United States government; or
3. The office the person violating subsection B, C, D or E of

this section purports to hold does not exist or is not an official office recognized by state or federal law.

R.L. 1910, § 2691. Amended by Laws 1990, c. 320, § 4, emerg. eff. May 30, 1990; Laws 1993, c. 13, § 1, emerg. eff. March 24, 1993; Laws 1997, c. 405, § 1, emerg. eff. June 13, 1997; Laws 1998, 1st Ex. Sess., c. 2, § 8, emerg. eff. June 19, 1998; Laws 1999, c. 24, § 4, eff. July 1, 1999; Laws 1999, 1st Ex. Sess., c. 5, § 261, eff. July 1, 1999; Laws 2003, c. 199, § 2, eff. Nov. 1, 2003; Laws 2003, c. 474, § 2, eff. Nov. 1, 2003; Laws 2012, c. 125, § 1, eff. Nov. 1, 2012.

§21-1533.1. Identity theft - Penalties - Civil action.

A. It is unlawful for any person to willfully and with fraudulent intent obtain the name, address, Social Security number, date of birth, place of business or employment, debit, credit or account numbers, driver license number, or any other personal identifying information of another person, living or dead, with intent to use, sell, or allow any other person to use or sell such personal identifying information to obtain or attempt to obtain money, credit, goods, property, or service in the name of the other person without the consent of that person.

B. It is unlawful for any person to use with fraudulent intent the personal identity of another person, living or dead, or any information relating to the personal identity of another person, living or dead, to obtain or attempt to obtain credit or anything of value.

C. It is unlawful for any person with fraudulent intent to lend, sell, or otherwise offer the use of such person's own name, address, Social Security number, date of birth, or any other personal identifying information or document to any other person with the intent to allow such other person to use the personal identifying information or document to obtain or attempt to obtain any identifying document in the name of such other person.

D. It is unlawful for any person to willfully create, modify, alter or change any personal identifying information of another person with fraudulent intent to obtain any money, credit, goods, property, service or any benefit or thing of value, or to control, use, waste, hinder or encumber another person's credit, accounts, goods, property, title, interests, benefits or entitlements without the consent of that person.

E. Any person convicted of violating any provision of this section shall be guilty of identity theft. Any person who violates the provisions of subsection A, B or D of this section shall, upon conviction, be guilty of a felony punishable by imprisonment in the custody of the Department of Corrections for a term of not less than one (1) year nor more than five (5) years, or a fine not to exceed One Hundred Thousand Dollars (\$100,000.00), or by both such fine and

imprisonment. Any person who violates the provisions of subsection C of this section shall, upon conviction, be guilty of a misdemeanor punishable by imprisonment in the county jail for a term not to exceed one (1) year, or a fine not to exceed One Hundred Thousand Dollars (\$100,000.00), or by both such fine and imprisonment. Restitution to the victim may be ordered in addition to any criminal penalty imposed by the court. The victim of identity theft may bring a civil action for damages against any person participating in furthering the crime or attempted crime of identity theft.

Added by Laws 1999, c. 144, § 1, emerg. eff. May 3, 1999. Amended by Laws 2000, c. 277, § 10, eff. Nov. 1, 2000; Laws 2001, c. 5, § 5, emerg. eff. March 21, 2001; Laws 2004, c. 279, § 1, emerg. eff. May 10, 2004; Laws 2007, c. 167, § 1, eff. Nov. 1, 2007; Laws 2016, c. 221, § 3, eff. Nov. 1, 2016.

NOTE: Laws 2000, c. 174, § 1 repealed by Laws 2001, c. 5, § 6, emerg. eff. March 21, 2001.

§21-1533.2. Fraudulently obtaining another person's information of financial institution - Presenting false or fraudulent information to officer, employee, agent or another customer of financial institution.

A. It is unlawful for any person to willfully and knowingly obtain, or attempt to obtain, another person's personal, financial or other information of a financial institution by means of any false or fraudulent statement made to any officer, employee, agent or customer of such financial institution.

B. It is unlawful for any person to willfully and knowingly present any false or fraudulent document or information, or any document or information obtained or used without lawful consent or authority, to any officer, employee, agent or another customer of such financial institution to obtain, or attempt to obtain, another person's personal, financial or other information from a financial institution or to commit any crime.

C. Any person violating any provision of this section shall, upon conviction, be guilty of a felony punishable by imprisonment in the Department of Corrections for a term of not more than ten (10) years. In addition, the court may order restitution to be paid by the defendant to every customer whose information was obtained or otherwise utilized in violation of this provision.

Added by Laws 2004, c. 298, § 3, emerg. eff. May 12, 2004.

§21-1533.3. Identity theft incident report - Preparation and filing by local law enforcement - Reports not considered open cases.

A. Notwithstanding that jurisdiction may lie elsewhere for investigation and prosecution of a crime of identity theft, victims of identity theft have the right to contact the local law enforcement agency where the victim is domiciled and have an

incident report about the identity theft prepared and filed. The local law enforcement agency that prepares and files the incident report shall, upon request, provide the victim with a copy of the incident report. The law enforcement agency may share the incident report with law enforcement agencies located in other jurisdictions. For purposes of this section, "incident report" means a loss or other similar report prepared and filed by a local law enforcement agency.

B. Nothing in this section shall interfere with the discretion of a local law enforcement agency to allocate resources for investigations of crimes. An incident report prepared and filed pursuant to this section shall not be an open case for purposes of compiling open case statistics.

Added by Laws 2007, c. 10, § 1, eff. Nov. 1, 2007.

§21-1541.1. See the following versions:

OS 21-1541.1v1 (HB 2751, Laws 2016, c. 221, § 4).

OS 21-1541.1v2 (State Question No. 780, Initiative Petition No. 404, § 13).

§21-1541.1v1. Obtaining or attempting to obtain property by trick or deception - False statements or pretenses - Confidence game - Penalty.

Every person who, with intent to cheat and defraud, shall obtain or attempt to obtain from any person, firm or corporation any money, property or valuable thing, of a value less than One Thousand Dollars (\$1,000.00), by means or by use of any trick or deception, or false or fraudulent representation or statement or pretense, or by any other means or instruments or device commonly called the "confidence game", or by means or use of any false or bogus checks, or by any other written or printed or engraved instrument or spurious coin, shall, upon conviction, be guilty of a misdemeanor punishable by a fine not to exceed One Thousand Dollars (\$1,000.00), or by imprisonment in the county jail for not more than one (1) year, or by both such fine and imprisonment.

Added by Laws 1967, c. 94, § 1, emerg. eff. April 20, 1967. Amended by Laws 1982, c. 277, § 1, operative Oct. 1, 1982; Laws 2001, 1st Ex. Sess., c. 2, § 1, emerg. eff. Oct. 8, 2001; Laws 2016, c. 221, § 4, eff. Nov. 1, 2016.

§21-1541.1v2. Obtaining or attempting to obtain property by trick or deception - False statements or pretenses - Confidence game - Penalty.

Every person who, with intent to cheat and defraud, shall obtain or attempt to obtain from any person, firm or corporation any money, property or valuable thing, of a value less than One Thousand Dollars (\$1,000.00), by means or by use of any trick or deception,

or false or fraudulent representation or statement or pretense, or by any other means or instruments or device commonly called the "confidence game", or by means or use of any false or bogus checks, or by any other written or printed or engraved instrument or spurious coin, shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine not to exceed One Thousand Dollars (\$1,000.00), or by imprisonment in the county jail for not more than one (1) year, or by both such fine and imprisonment.

Added by Laws 1967, c. 94, § 1, emerg. eff. April 20, 1967. Amended by Laws 1982, c. 277, § 1, operative Oct. 1, 1982; Laws 2001, 1st Ex. Sess., c. 2, § 1, emerg. eff. Oct. 8, 2001; State Question No. 780, Initiative Petition No. 404, § 13, adopted at General Election held on November 8, 2016, eff. July 1, 2017.

§21-1541.2. See the following versions:

OS 21-1541.2v1 (HB 2751, Laws 2016, c. 221, § 5).

OS 21-1541.2v2 (State Question No. 780, Initiative Petition No. 404, § 14).

§21-1541.2v1. Value of money, property or valuable thing - Penalty.

If the value of the money, property or valuable thing referred to in Section 1541.1 of this title is One Thousand Dollars (\$1,000.00) or more, any person convicted pursuant to this section shall be guilty of a felony and shall be punished by imprisonment in the custody of the Department of Corrections for a term not more than ten (10) years, or by a fine not to exceed Five Thousand Dollars (\$5,000.00), or by both such fine and imprisonment, and ordered to provide restitution to the victim as provided in Section 991a of Title 22 of the Oklahoma Statutes.

Added by Laws 1967, c. 94, § 2, emerg. eff. April 20, 1967. Amended by Laws 1982, c. 277, § 2, operative Oct. 1, 1982; Laws 1993, c. 147, § 4, eff. Sept. 1, 1993; Laws 1997, c. 133, § 369, eff. July 1, 1999; Laws 1999, 1st Ex. Sess., c. 5, § 262, eff. July 1, 1999; Laws 2001, c. 437, § 7, eff. July 1, 2001; Laws 2016, c. 221, § 5, eff. Nov. 1, 2016.

NOTE: Laws 1998, 1st Ex. Sess., c. 2, § 23 amended the effective date of Laws 1997, c. 133, § 369 from July 1, 1998, to July 1, 1999.

§21-1541.2v2. Value of One Thousand Dollars or more - Punishment.

If the value of the money, property or valuable thing referred to in Section 1541.1 of this title is One Thousand Dollars (\$1,000.00) or more, any person convicted hereunder shall be deemed guilty of a felony and shall be punished by imprisonment in the State Penitentiary for a term not more than ten (10) years, or by a fine not to exceed Five Thousand Dollars (\$5,000.00), or by both such fine and imprisonment.

Added by Laws 1967, c. 94, § 2, emerg. eff. April 20, 1967. Amended



by Laws 1982, c. 277, § 2, operative Oct. 1, 1982; Laws 1993, c. 147, § 4, eff. Sept. 1, 1993; Laws 1997, c. 133, § 369, eff. July 1, 1999; Laws 1999, 1st Ex. Sess., c. 5, § 262, eff. July 1, 1999; Laws 2001, c. 437, § 7, eff. July 1, 2001; State Question No. 780, Initiative Petition No. 404, § 14, adopted at General Election held on November 8, 2016, eff. July 1, 2017.

NOTE: Laws 1998, 1st Ex. Sess., c. 2, § 23 amended the effective date of Laws 1997, c. 133, § 369 from July 1, 1998, to July 1, 1999.

§21-1541.3. See the following versions:

OS 21-1541.3v1 (HB 2751, Laws 2016, c. 221, § 6).

OS 21-1541.3v2 (State Question No. 780, Initiative Petition No. 404, § 15).

§21-1541.3v1. Value of bogus checks, drafts or orders - Penalty.

Any person making, drawing, uttering or delivering two or more false or bogus checks, drafts or orders, as defined by Section 1541.4 of this title, the total sum of which is Two Thousand Dollars (\$2,000.00) or more, even though each separate instrument is written for less than One Thousand Dollars (\$1,000.00), all in pursuance of a common scheme or plan to cheat and defraud, shall be deemed guilty of a felony and shall be punished by imprisonment in the custody of the Department of Corrections for a term not more than ten (10) years, or by a fine not to exceed Five Thousand Dollars (\$5,000.00), or by both such fine and imprisonment. If the total sum of two or more false or bogus checks, drafts or orders is Five Hundred Dollars (\$500.00) or more, but less than Two Thousand Dollars (\$2,000.00), the person shall, upon conviction, be guilty of a misdemeanor and shall be punished by incarceration in the county jail for not more than one (1) year or by incarceration in the county jail one or more nights or weekends pursuant to Section 991a-2 of Title 22 of the Oklahoma Statutes, at the option of the court, and shall be subject to a fine of not more than Five Thousand Dollars (\$5,000.00) and ordered to provide restitution to the victim as provided in Section 991a of Title 22 of the Oklahoma Statutes.

Added by Laws 1967, c. 94, § 3, emerg. eff. April 20, 1967. Amended by Laws 1982, c. 277, § 3, operative Oct. 1, 1982; Laws 1993, c. 147, § 5, eff. Sept. 1, 1993; Laws 1993, c. 288, § 2, eff. Sept. 1, 1993; Laws 1997, c. 133, § 370, eff. July 1, 1999; Laws 1999, 1st Ex. Sess., c. 5, § 263, eff. July 1, 1999; Laws 2001, c. 437, § 8, eff. July 1, 2001; Laws 2016, c. 221, § 6, eff. Nov. 1, 2016.

NOTE: Laws 1998, 1st Ex. Sess., c. 2, § 23 amended the effective date of Laws 1997, c. 133, § 370 from July 1, 1998, to July 1, 1999.

§21-1541.3v2. Value of One Thousand Dollars or more - Punishment.

Any person making, drawing, uttering or delivering two or more false or bogus checks, drafts or orders, as defined by Section

1541.4 of this title, the total sum of which is One Thousand Dollars (\$1,000.00) or more, even though each separate instrument is written for less than One Thousand Dollars (\$1,000.00), all in pursuance of a common scheme or plan to cheat and defraud, shall be deemed guilty of a felony and shall be punished by imprisonment in the State Penitentiary for a term not more than ten (10) years, or by a fine not to exceed Five Thousand Dollars (\$5,000.00), or by both such fine and imprisonment.

Added by Laws 1967, c. 94, § 3, emerg. eff. April 20, 1967. Amended by Laws 1982, c. 277, § 3, operative Oct. 1, 1982; Laws 1993, c. 147, § 5, eff. Sept. 1, 1993; Laws 1993, c. 288, § 2, eff. Sept. 1, 1993; Laws 1997, c. 133, § 370, eff. July 1, 1999; Laws 1999, 1st Ex. Sess., c. 5, § 263, eff. July 1, 1999; Laws 2001, c. 437, § 8, eff. July 1, 2001; State Question No. 780, Initiative Petition No. 404, § 15, adopted at General Election held on November 8, 2016, eff. July 1, 2017.

NOTE: Laws 1998, 1st Ex. Sess., c. 2, § 23 amended the effective date of Laws 1997, c. 133, § 370 from July 1, 1998, to July 1, 1999.

§21-1541.4. False or bogus check or checks defined; prima facie evidence of intent to defraud and knowledge of insufficient funds or credit; effect of refusal by drawee of check offered for purchase of goods or livestock.

A. The term "false or bogus check or checks" shall include checks or orders, including those converted to electronic fund transfer, which are not honored on account of insufficient funds of the maker to pay same or because the check or order was drawn on a closed account or on a nonexistent account when such checks or orders are given:

1. In exchange for money or property;
2. In exchange for any benefit or thing of value;
3. As a down payment for the purchase of any item of which the purchaser is taking immediate possession, as against the maker or drawer thereof; or
4. As payment made to a landlord under a lease or rental agreement.

B. The making, drawing, uttering, or delivering of a check, draft, or order, payment of which is refused by the drawee, shall be prima facie evidence of intent to defraud and the knowledge of insufficient funds in, or credit with, such bank or other depository; provided, such maker or drawer shall not have paid the drawee thereof the amount due thereon, together with the protest fees, within five (5) days from the date the same is presented for payment; and provided, further, that the check or order is presented for payment within thirty (30) days after same is delivered and accepted.

C. A check offered for the purchase of goods or livestock that

is refused by a drawee shall not be considered to be an extension of credit by the seller of goods or livestock to the maker or drawer of the check.

D. A check or order offered to a merchant in payment on an open account of the maker with the merchant shall mean "a check or order given in exchange for a benefit or thing of value", notwithstanding that the merchant may debit the account of the maker or impose other charges pursuant to applicable law in the event the check or order is not honored.

Added by Laws 1967, c. 94, § 4, emerg. eff. April 20, 1967. Amended by Laws 1975, c. 124, § 1, emerg. eff. May 13, 1975; Laws 2002, c. 116, § 1, eff. Nov. 1, 2002; Laws 2009, c. 428, § 1, eff. Nov. 1, 2009; Laws 2013, c. 127, § 1, eff. Nov. 1, 2013; Laws 2014, c. 224, § 1, eff. Nov. 1, 2014.

§21-1541.5. Credit defined.

The word "credit," as used in Section 1541.1 through 1541.4 of this title, shall be construed to mean an arrangement or understanding with the bank, depository, or seller of goods or livestock for the payment of such check, draft, or order.

Added by Laws 1967, c. 94, § 5, emerg. eff. April 20, 1967. Amended by Laws 2009, c. 428, § 2, eff. Nov. 1, 2009.

§21-1541.6. Refund fraud - Penalties.

A. No person shall give a false or fictitious name or address as his own, or give the name or address of any other person without the knowledge and consent of that person, for the purpose of obtaining or attempting to obtain a refund for merchandise from a business establishment.

B. Any person convicted of violating the provisions of this section shall be guilty of a misdemeanor punishable by the imposition of a fine of not more than One Thousand Dollars (\$1,000.00) or by imprisonment in the county jail for not more than one (1) year, or by both said fine and imprisonment.

Added by Laws 1984, c. 44, § 1, eff. Nov. 1, 1984. de

§21-1542. Obtaining property or signature under false pretenses - Use of retail sales receipt or Universal Price Code Label to cheat or defraud.

A. Every person who, with intent to cheat or defraud another, designedly, by color or aid of any false token or writing, or other false pretense, obtains the signature of any person to any written instrument, or obtains from any person any money or property is, upon conviction, guilty of a felony punishable by imprisonment in the custody of the Department of Corrections for a term not exceeding three (3) years or in a county jail not exceeding one (1) year if the value is One Thousand Dollars (\$1,000.00) or more, or by

a fine not exceeding three times the value of the money or property so obtained, or by both such fine and imprisonment. If the value is less than One Thousand Dollars (\$1,000.00), the person is, upon conviction, guilty of a misdemeanor punishable by imprisonment in the county jail for a term not exceeding one (1) year, or by a fine not exceeding three times the value of the money or property so obtained, or by both such fine and imprisonment.

B. Every person who, with intent to cheat or defraud another, possesses, uses, utters, transfers, makes, manufactures, counterfeits, or reproduces a retail sales receipt or a Universal Price Code Label is, upon conviction, guilty of a felony punishable by imprisonment in the custody of the Department of Corrections for a term not exceeding three (3) years or in a county jail not exceeding one (1) year if the value is One Thousand Dollars (\$1,000.00) or more, or by a fine not exceeding three times the value represented on the retail sales receipt or the Universal Price Code Label, or by both such fine and imprisonment. If the value is less than One Thousand Dollars (\$1,000.00), the person is, upon conviction, guilty of a misdemeanor punishable by imprisonment in the county jail for a term not exceeding one (1) year, or by a fine not exceeding three times the value represented on the retail sales receipt or the Universal Price Code Label, or by both such fine and imprisonment. For purposes of this subsection, a series of offenses may be aggregated into one offense when they are the result of the formulation of a plan or scheme or the setting up of a mechanism which, when put into operation, results in the taking or diversion of money or property on a recurring basis. When all acts result from a continuing course of conduct, they may be aggregated into one crime. Acts forming an integral part of the first taking which facilitate subsequent takings, or acts taken in preparation of several takings which facilitate subsequent takings, are relevant to determine the intent of the party to commit a continuing crime. R.L. 1910, § 2694. Amended by Laws 1997, c. 139, § 2, eff. Nov. 1, 1997; Laws 2016, c. 221, § 7, eff. Nov. 1, 2016.

NOTE: Laws 1997, c. 133, § 371 repealed by Laws 1999, 1st Ex. Sess., c. 5, § 452, eff. July 1, 1999.

NOTE: Laws 1998, 1st Ex. Sess., c. 2, § 23 amended the effective date of Laws 1997, c. 133, § 371 from July 1, 1998, to July 1, 1999.

§21-1543. Obtaining signature or property for charitable purposes by false pretenses.

Any person who designedly, by color or aid of any false token or writing, or other false pretense, obtains the signature of any person to any written instrument, or obtains from any person any money or property for any alleged charitable or benevolent purpose whatever, shall be guilty of a felony punishable by imprisonment in the State Penitentiary not exceeding three (3) years or in a county

jail not exceeding one (1) year, or by a fine not exceeding the value of the money or property so obtained, or by both such fine and imprisonment.

R.L. 1910, § 2695. Amended by Laws 1997, c. 133, § 372, eff. July 1, 1999; Laws 1999, 1st Ex.Sess., c. 5, § 264, eff. July 1, 1999.

NOTE: Laws 1998, 1st Ex.Sess., c. 2, § 23 amended the effective date of Laws 1997, c. 133, § 372 from July 1, 1998, to July 1, 1999.

§21-1544. False negotiable paper.

If the false token by which any money or property is obtained in violation of the first and second preceding sections of this article, is a promissory note or negotiable evidence of debt purporting to be issued by or under the authority of any banking company or corporation not in existence, the person guilty of such cheat shall be guilty of a felony punishable by imprisonment in the State Penitentiary not exceeding seven (7) years, instead of by punishment prescribed by those sections.

R.L. 1910, § 2696. Amended by Laws 1997, c. 133, § 373, eff. July 1, 1999; Laws 1999, 1st Ex.Sess., c. 5, § 265, eff. July 1, 1999.

NOTE: Laws 1998, 1st Ex.Sess., c. 2, § 23 amended the effective date of Laws 1997, c. 133, § 373 from July 1, 1998, to July 1, 1999.

§21-1545. Using false check - False token.

The use of a matured check or other order for the payment of money, as a means of obtaining any signature, money or property, such as is specified in the last two sections, by a person who knows that a drawer thereof is not entitled to draw for the sum specified therein, upon the drawee, is the use of a false token within the meaning of those sections although no representation is made in respect thereto.

R.L.1910, § 2697. de

§21-1546. Removing, defacing, altering or obliterating - Subsequent sale.

Any person, firm or corporation who removes, defaces, alters, changes, destroys, covers, obliterates or makes a substitution of any trademark, distinguishing or identification number, serial number or mark, on or from any machine or electrical or mechanical device or apparatus, and thereafter sells or resells or offers for sale or resale the same in such condition, is guilty of a misdemeanor.

Laws 1953, p. 97, § 1.

§21-1547. Person acquiring machine or device with mark removed, altered, etc.

Any person, firm or corporation who acquires, for the purpose of sale or resale and possesses any machine or electrical or mechanical