

# HOUSE . . . . . No. 2535

By Mr. Galvin of Boston, petition of William F. Galvin relative to the penalty for theft of certain telecommunications services and equipment. Government Regulations.

## The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Eighty-Five.

### AN ACT RELATIVE TO THEFT OF CERTAIN TELECOMMUNICATIONS SERVICE AND EQUIPMENT.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1 SECTION 1. Section 42A of Chapter 166, as most recently  
2 amended by Chapter 98 of the Acts 1983, is hereby further  
3 amended by striking out the first sentence and inserting in place  
4 thereof the following new sentence: —

5 Whoever, with intent to defraud, obtains, or attempts to obtain,  
6 or aids or abets another in obtaining, any telecommunications  
7 service by any false representation, false statement, or stratagem,  
8 by unauthorized charging to the account of another, by installing  
9 or tampering with any facilities or equipment or by any other  
10 means, shall be punished by a fine of not more than two thousand  
11 dollars or by imprisonment for not more than six months, or both.

1 SECTION 2. Section 42 B of said Chapter 166, as most recently  
2 amended by Chapter 98 of the Acts of 1983, is hereby further  
3 amended by striking out the first sentence and inserting in place  
4 thereof the following new sentence: —

5 Whoever makes any instrument, apparatus, equipment, or  
6 device which is designed, adapted, or which is used to fraudulently  
7 obtain telecommunication service in the manner prohibited by  
8 section forty-two A or which is used to conceal, or to assist another

9 to conceal, from any lawful authority, the existence or place of  
10 origin or of destination of any telecommunication; or whoever  
11 possesses any such instrument, apparatus, equipment or device  
12 with the intent to use or employ the same in violation of this section  
13 or section forty-two A, or whoever sells, gives transport, or other-  
14 wise transfers to another, or offers or advertises for sale, any such  
15 instrument apparatus, equipment, or device, or any plans or  
16 instructions for making or assembling the same, with the intent to  
17 use or employ such apparatus, equipment, or device, or to allow the  
18 same to be used or employed, for a purpose described in this section  
19 or whoever, knowing or having reason to believe that the same is  
20 intended to be used, or that the aforesaid plans or instructions are  
21 intended to be used for making or assembling such apparatus,  
22 equipment or device, or whoever publishes plans or instructions for  
23 making or assembling or using any such apparatus, equipment or  
24 device, intending that such be used or employed in violation of this  
25 section or section forty-two A, shall be punished by a fine of not  
26 more than ten thousand dollars or by imprisonment for not more  
27 than twelve months, or by both.