

By Mr. Caron of Springfield, petition of Paul E. Caron and Robert A. Durand relative to the penalty for the theft of telecommunications services. Criminal Justice.

The Commonwealth of Massachusetts

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

AN ACT RELATIVE TO THE THEFT OF TELECOMMUNICATIONS SERVICES.

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 30 of Chapter 266 is hereby amended by
2 inserting in line 35 after the word "transit" the following: —
3 , telecommunications services.

1 SECTION 2. Section 42A of Chapter 166 is hereby amended
2 by striking this section and inserting the following: —

3 Section 42A. Telecommunications service; fraud; penalty.

4 (1) Whoever, with intent to defraud, obtains, or attempts to
5 obtain, or aids or abets another in obtaining, any telecommunica-
6 tions services valued less than five thousand dollars by any false
7 representation, false statement, or stratagem, by unauthorized
8 charging to the account of another, by installing or tampering with
9 any facilities or equipment or by any other means, shall be pun-
10 ished by a fine of not more than three thousand dollars or by
11 imprisonment for not more than three years in a house of correc-
12 tion, or both.

13 (2) Whoever, with intent to defraud, obtains, or attempts to
14 obtain, or aids or abets another in obtaining, any telecommunica-
15 tions services of a value equal to or greater than five thousand
16 dollars by any false representation, false statement, or stratagem,
17 by unauthorized charging to the account of another, by installing
18 or tampering with any facilities or equipment or by any other
19 means, shall be punished by a fine of not more than ten thousand
20 dollars or by imprisonment for not more than ten years in a state
21 prison, or both.

22 As used in this section, the word “telecommunication service”
23 shall also include the transmission of intelligence by a community
24 antenna television system licensed pursuant to the provisions of
25 chapter one hundred sixty-six A.

1 SECTION 3. Section 42B of Chapter 166 is hereby amended
2 by striking lines 22 through 23 and inserting in its place the
3 following: — thirty thousand dollars or by imprisonment in a state
4 prison for not more than fifteen years, or by both.