

WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1961

ENROLLED

SENATE BILL NO. 133

(By Mr. Gainer)

PASSED February 27 1961

In Effect March 1 Passage

Filed in Office of the Secretary of State
of West Virginia March 1, 1961
JOE F. BURDETT
SECRETARY OF STATE

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ENROLLED

Senate Bill No. 133

(By MR. GAINER)

[Passed February 22, 1961; in effect ninety days from passage.]

AN ACT to amend article three, chapter sixty-one of the code of West Virginia, one thousand nine hundred thirty-one, as amended, by adding thereto a new section designated section twenty-four-a, relating to obtaining goods, property or service by false or fraudulent use of credit cards or other false or fraudulent means, and providing penalties therefor.

Be it enacted by the Legislature of West Virginia:

That article three, chapter sixty-one of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended by adding thereto a new section designated section twenty-four-a, to read as follows:

Section 24-a. *Obtaining or Attempting to Obtain
2 Goods, Property or Service by False or Fraudulent Use of
3 Credit Cards or Other False or Fraudulent Means, and
4 Providing Penalties Therefor.*—It shall be unlawful for
5 any person knowingly to obtain or attempt to obtain
6 credit, or to purchase or attempt to purchase any goods,
7 property or service, by the use of any false, fictitious or
8 counterfeit credit card, telephone number, credit number
9 or other credit device, or by the use of any credit card,
10 telephone number, credit number or other credit device of
11 another beyond or without the authority of the per-
12 son to whom such card, number or device was issued, or
13 by the use of any credit card, telephone number, credit
14 number or other credit device in any case where such
15 card, number or device has been revoked and notice of
16 revocation has been given to the person to whom issued.

17 It shall be unlawful for any person knowingly to obtain
18 or attempt to obtain, by the use of any fraudulent scheme,
19 device, means or method, telephone or telegraph service
20 or the transmission of a message, signal or other com-
21 munication by telephone or telegraph, or over telephone

22 or telegraph facilities with intent to avoid payment of
23 charges therefor.

24 The word "notice" as used in the first paragraph of this
25 section shall be construed to include either notice given in
26 person or notice given in writing to the person to whom
27 the number, card or device was issued. The sending of a
28 notice in writing by registered or certified mail in the
29 United States mail, duly stamped and addressed to such
30 person at his last known address, shall be prima facie evi-
31 dence that such notice was duly received.

32 Any person who violates any provision of this section
33 is guilty of a misdemeanor and upon conviction shall be
34 punished by a fine of not less than fifty dollars nor more
35 than five hundred dollars or imprisonment for not more
36 than one year, or by both such fine and imprisonment.

The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Thomas Davis, Jr.
Chairman Senate Committee

Miss M. N. Withers
Chairman House Committee

Originated in the Senate.

Takes effect *ninety days from* passage

Howard Hayes
Clerk of the Senate

A. Blankenship
Clerk of the House of Delegates

Howard Warson
President of the Senate

Julius W. Singleton Jr.
Speaker House of Delegates

The within *approved* this the *first*
day of *March*, 1961.

W. W. Bann
Governor

