

**HOUSE BILL NO. 1161**

Introduced by

Representatives B. Koppelman, Beadle, Jones, K. Koppelman, Louser, Schauer

Senators Hogue, Luick, Poolman, Schaible

1 A BILL for an Act to create and enact a new section to chapter 51-28 of the North Dakota  
2 Century Code, relating to prohibiting false information from being entered into a telephone caller  
3 identification system with the intent to deceive, defraud, or mislead; and to provide a penalty.

4 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

5 **SECTION 1.** A new section to chapter 51-28 of the North Dakota Century Code is created  
6 and enacted as follows:

7 **Telephone caller identification system deception - Exceptions - Definitions.**

8 1. A person may not:

9 a. Enter false information, or cause false information to be entered, into a telephone  
10 caller identification system with the intent to deceive, defraud, or mislead the  
11 recipient of a call; or

12 b. Place a call knowing false information was entered into the telephone caller  
13 identification system with the intent to deceive, defraud, or mislead the recipient  
14 of the call.

15 2. This section does not apply to:

16 a. The blocking of caller identification information;

17 b. A law enforcement agency of the federal, state, county, or municipal government;

18 c. An intelligence or security agency of the federal government; or

19 d. A telecommunications, broadband, or voice over internet protocol service  
20 provider acting solely as an intermediary for the transmission of telephone  
21 service between the caller and the recipient.

22 3. In addition to the remedies and penalties provided in this chapter, a person violating  
23 subsection 1 is guilty of a class A misdemeanor.

24 4. As used in this section:

- 1           a. "Call" means any type of telephonic communication made using a public switched  
2           telephone network, wireless cellular telephone service, or voice over internet  
3           protocol service that has the capability of accessing users on the public switched  
4           telephone network or a successor network.
- 5           b. "Caller" means a person that places a call, whether by telephone, over a  
6           telephone line, or on a computer.
- 7           c. "Enter" means to input data into a computer or telephone system.
- 8           d. "False information" means data misrepresenting the identity of the caller to the  
9           recipient of a call. The term does not include when a person making an  
10          authorized call on behalf of another person inserts the name, telephone number,  
11          or name and telephone number of the person for which the call is being made.
- 12          e. "Telephone caller identification system" means a listing of a caller's name,  
13          telephone number, or name and telephone number shown to a recipient of a call  
14          when it is received.