

NORTH CAROLINA GENERAL ASSEMBLY
1977 SESSION

CHAPTER 735
HOUSE BILL 1277

AN ACT TO AMEND ARTICLE 22 OF CHAPTER 14 OF THE GENERAL STATUTES BY ADDING G.S. 14-159.1 MAKING IT UNLAWFUL TO ALTER, TAMPER WITH OR BYPASS ELECTRIC, GAS OR WATER METERS; PROVIDING A PRESUMPTION OF INTENT AND EVIDENCE THEREOF; PROVIDING PENALTIES FOR VIOLATIONS; PROVIDING LIABILITY FOR DAMAGES IN A CIVIL ACTION; PROVIDING AN EXEMPTION; AND PROVIDING AN EFFECTIVE DATE.

The General Assembly of North Carolina enacts:

Section 1. Article 22 of Chapter 14 of the General Statutes of North Carolina is hereby amended by adding the following new section:

"§ 14-159.1. Interfering with electric, gas or water meters; prima facie evidence of intent to alter, tamper with or bypass electric, gas or water meters; civil liability. — (a) It shall be unlawful for any unauthorized person to alter, tamper with or bypass a meter which has been installed for the purpose of measuring the use of electricity, gas or water or knowingly to use electricity, gas or water passing through any such tampered meter or use electricity, gas or water bypassing a meter provided by an electric, gas or water supplier for the purpose of measuring and registering the quantity of electricity, gas or water consumed.

(b) Any meter or service entrance facility found to have been altered, tampered with, or bypassed in a manner that would cause such meter to inaccurately measure and register the electricity, gas or water consumed or which would cause the electricity, gas or water to be diverted from the recording apparatus of the meter shall be prima facie evidence of intent to violate and of the violation of this section by the person in whose name such meter is installed or the person or persons so using or receiving the benefits of such unmetered, unregistered or diverted electricity, gas or water.

(c) Any person violating any of the provisions of this section shall be guilty of a misdemeanor and upon conviction thereof shall be fined not more than five hundred dollars (\$500.00) or imprisoned not longer than two years, or both fined and imprisoned, in the discretion of the court.

(d) Whoever is found in a civil action to have violated any provision hereof shall be liable to the electric, gas or water supplier in triple the amount of losses and damages sustained or five hundred dollars (\$500.00), whichever is greater.

(e) Nothing in this act shall be construed to apply to licensed contractors while performing usual and ordinary services in accordance with recognized customs and standards."

Sec. 2. This act shall become effective October 1, 1977.

In the General Assembly read three times and ratified, this the 24th day of June, 1977.