



TWENTY-FOURTH NORTHERN MARIANAS COMMONWEALTH LEGISLATURE

HOUSE OF REPRESENTATIVES

COMMITTEE ON JUDICIARY AND GOVERNMENTAL OPERATIONS

P.O. BOX 500586 SAIPAN, MP 96950

JOEL C. CAMACHO
CHAIRMAN

Adopted - 7/28/2026 ✓

STANDING COMMITTEE REPORT NO. 24-59

DATE: June 24, 2026

RE: House Bill No. 24-99

The Honorable Edmund S. Villagomez
Speaker of the House of Representatives
Twenty-Fourth Northern Marianas
Commonwealth Legislature
Capitol Hill
Saipan, MP 96950

Dear Mr. Speaker:

Your Committee on Judiciary and Governmental Operations to which was referred:

House Bill No. 24-99: "To amend Title 6, Division 1, §1609, Theft of Utility Services, to provide a permissive inference of intent under specified circumstances while preserving due process protections; and for other purposes."

begs leave to report as follows:

I. RECOMMENDATION:

After considerable discussion, your Committee recommends that House Bill No. 24-99 be passed by the House in its current form.

TO THE CLERK'S OFFICE
RECEIVED BY *PJR*
DATE *26 JUNE 14:30 PM*

II. ANALYSIS:

A. Purpose:

The purpose of House Bill No. 24-99 is to amend Title 6, §1609 to allow a narrow permissive inference of intent in prosecutions for theft of utility services when meters are tampered with, service is unauthorizedly reconnected, or service is diverted while preserving the Commonwealth's burden to prove every element beyond a reasonable doubt and providing rebuttal safeguards, jury instruction, and definitions.

B. Committee Findings:

Your Committee finds that theft of utility services is difficult to detect and imposes significant costs on utilities and honest customers, and that under limited, well-defined circumstances it is appropriate to allow a permissive inference of intent so long as constitutional protections and the Commonwealth's burden of proof are preserved.

The bill amends Title 6, section 1609 to allow the trier of fact to infer intent to obtain utility service without paying or to deprive a utility of lawful charges when evidence shows one or more of the following: a utility meter or other measuring device has been tampered with, altered, bypassed, or otherwise interfered with; service has been reconnected without authorization after lawful disconnection; or any device, connection, wire, pipe, or apparatus diverts service so it does not pass through a lawful meter.

The Commonwealth remains required to prove every element of the offense beyond a reasonable doubt. The permissive inference is only evidence of intent and may be rebutted by proof that the condition arose without the person's knowledge, consent, or participation, that the person lacked custody or control of the premises or service connection, or that no unauthorized use occurred. The bill also requires appropriate jury instructions upon request and defines key terms such as premises served, utility service connection, lawful meter, and diversion. Therefore, your Committee supports the intent of the proposed legislation and also recommends the passage of House Bill No. 24-99 in its current form.

C. Public Comments/Public Hearing:

Public comments were solicited from the following government entities:

1. CNMI Attorney General
2. Commonwealth Utilities Corporation

To date, no comments have been received by the Committee.

D. Legislative History:

House Bill No. 24-99 was formally introduced in the House by Representative Vincent R. Aldan on February 25, 2026, and subsequently referred to the House Standing Committee on Judiciary and Governmental Operations for disposition.

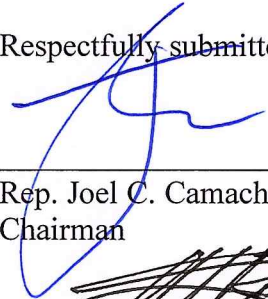
E. Cost Benefit:

The enactment of House Bill No. 24-99 will likely generate net revenue and savings for the CNMI by reducing utility theft and associated losses, thereby lowering the cost burden shifted to paying customers and improving utility financial stability; while there may be modest implementation costs for utilities and the courts for training, investigation, and jury instruction, those expenses are expected to be outweighed by recovered revenue, fewer unpaid bills, and reduced enforcement inefficiencies, and the bill's narrow, constitutionally protective design should limit costly prolonged litigation.

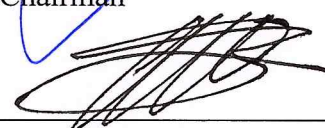
III. CONCLUSION:

Your Committee is in accord with the intent and purpose of House Bill No. 24-99 and recommends its passage in its current form.

Respectfully submitted,



Rep. Joel C. Camacho
Chairman



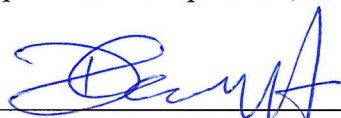
Rep. Vincent S. Aldan, Member

Rep. Angelo A. Camacho, Member

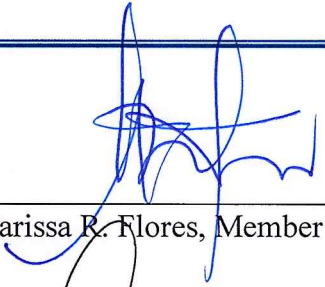


Rep. Blas Jonathan "BJ" T. Attao
Vice Chairman

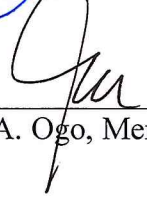
Rep. Daniel I. Aquino Jr., Member



Rep. Diego V.F. Camacho, Member



Rep. Marissa R. Flores, Member

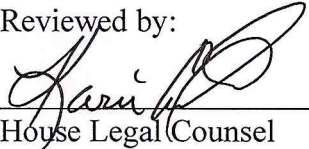
Rep. Joseph A. Flores, Member

Rep. Julie A. Ogo, Member

Rep. John Paul P. Sablan, Member

Rep. Ralph N. Yumul, Member

Reviewed by:



House Legal Counsel

Date: 6-24-26

Attachments:

- House Bill No. 24-99

**TWENTY-FOURTH NORTHERN MARIANAS COMMONWEALTH
LEGISLATURE**

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 25, 2026

Third Regular Session, 2026

H. B. 24-99

A BILL FOR AN ACT

To amend Title 6, Division 1, §1609, Theft of Utility Services,
to provide a permissive inference of intent under specified
circumstances while preserving due process protections; and for
other purposes.

**BE IT ENACTED BY THE 24TH NORTHERN MARIANAS
COMMONWEALTH LEGISLATURE:**

1 **Section 1. Findings and Purpose.** The Legislature finds that theft of utility
2 services is difficult to detect and prove, yet imposes substantial economic burdens
3 on utility providers and lawful customers. The Legislature further finds that, under
4 specified circumstances, it is fair and reasonable to permit a permissive inference
5 regarding intent, provided the Commonwealth retains the burden of proving every
6 element of the offense beyond a reasonable doubt. The purpose of this Act is to
7 assist the trier of fact in evaluating evidence relevant to the specific intent required
8 for theft of utility services, while protecting defendants from any shift in the burden
9 of proof. By authorizing a narrowly drawn permissive inference and including
10 appropriate procedural safeguards, the Act seeks to deter and remediate utility theft,

1 reduce costs passed on to consumers, and promote the efficient enforcement of the
2 law without compromising constitutional protections.

3 **Section 2. Amendment.** Title 6, Crimes and Criminal Procedure, Division
4 1, Crimes Against Person and Property, Part 2 Crimes Against Property, Chapter 1,
5 Theft and Related Offenses, Section 1609, is hereby amended by adding
6 subsections (g), (h), and (i) to read as follows:

7 “(g) Permissive inference of intent. In a prosecution under this section,
8 the trier of fact may infer that a person acted with intent to obtain utility
9 services for the person’s own or another’s use without paying the full lawful
10 charge therefor, or with intent to deprive any utility of any part of the full
11 lawful charge for utility services, if the trier of fact finds, based on the
12 evidence, that one or more of the following conditions existed on or in
13 connection with the premises served and that the person was a customer (as
14 defined in subsection (a)(1)) or otherwise exercised actual custody or control
15 over the premises and the utility service connection:

16 (1) The meter or other measuring device provided by the utility
17 has been altered, tampered with, bypassed, or otherwise interfered with
18 so as to prevent accurate measurement;

19 (2) Utility service has been reconnected without authorization
20 after having been lawfully disconnected by the utility; or

1 (3) Any device, connection, wire, pipe, or other apparatus exists
2 which diverts utility service without passing through a lawful meter or
3 other measuring device.

4 The Commonwealth bears the burden to prove each element of the
5 offense beyond a reasonable doubt. The inference described in this subsection
6 is evidence of intent only and does not relieve the Commonwealth of the
7 burden of proving any element required by law.

8 (h) Rebuttal; jury instruction:

9 (1) The inference set forth in subsection (g) may be rebutted by
10 any evidence tending to show that:

11 (A) the condition existed without the knowledge, consent,
12 or participation of the person;

13 (B) the person did not have actual custody or control over
14 the premises served and the utility service connection during the
15 relevant period; or

16 (C) the condition did not result in the unauthorized use of
17 utility service.

18 (2) In a jury trial, upon request of a party and if supported by the
19 evidence, the court shall instruct the jury consistent with this
20 subsection.

21 (i) Definitions. For purposes of subsections (g) and (h):

1 (1) “Premises served” means the building, dwelling unit,
2 structure, or parcel identified by the applicable utility account, service
3 address, and/or meter location as the location to which the utility
4 provides service. The term includes any appurtenant area where the
5 lawful meter or utility service connection is located.

6 (2) “Utility service connection” means the point at which the
7 utility’s facilities connect to customer-side wiring, piping, equipment,
8 or appurtenances for the delivery of utility service.

9 (3) “Lawful meter or other measuring device” means a meter or
10 measuring device installed or authorized by the utility, or otherwise
11 used by the utility for measuring and billing utility service.

12 (4) For purposes of subsection (g)(3) only, “diverts” or
13 “diversion” means routing, channeling, or otherwise causing utility
14 service to bypass a lawful meter or other measuring device, or to be
15 measured inaccurately, resulting in avoidance of full lawful charges.”

16 **Section 3. Severability.** If any provisions of this Act or the application of
17 any such provision to any person or circumstance should be held invalid by a court
18 of competent jurisdiction, the remainder of this Act or the application of its
19 provisions to persons or circumstances other than those to which it is held invalid
20 shall not be affected thereby.

1 **Section 4. Savings Clause.** This Act and any repealer contained herein
2 shall not be construed as affecting any existing right acquired under contract or
3 acquired under statutes repealed or under any rule, regulation, or order adopted
4 under the statutes. Repealers contained in this Act shall not affect any proceeding
5 instituted under or pursuant to prior law. The enactment of the Act shall not have
6 the effect of terminating, or in any way modifying, any liability, civil or criminal,
7 which shall already be in existence on the date this Act becomes effective.

8 **Section 5. Effective Date.** This Act shall take effect upon its approval by
9 the Governor, or it becoming law without such approval.

Prefiled: 2/20/2026

Date: 2/20/2026

Introduced by: /s/Rep. Vincent R. Aldan

Reviewed for legal sufficiency by:

/s/ Joseph L.G. Taijeron, Jr.
House Legal Counsel

Date: 2/20/2026