

HOUSE BILL NO. HB0204

SIM card identity protection.

Sponsored by: Representative(s) Western, Lindholm, Olsen
and Yin and Senator(s) Case, Driskill,
Nethercott and Rothfuss

A BILL

for

1 AN ACT relating to consumer protection; providing that
2 failure to prevent SIM card swapping is an unlawful trade
3 practice; and providing for an effective date.

4

5 *Be It Enacted by the Legislature of the State of Wyoming:*

6

7 **Section 1.** W.S. 40-12-801 and 40-12-802 are created

8 to read:

9

10

ARTICLE 8

11

SIM CARD IDENTITY PROTECTION

12

13 **40-12-801. Definitions.**

14

15 (a) As used in this article:

1

2 (i) "SIM card" means any device that is intended
3 to be used to securely store a telecommunications
4 subscriber's international mobile subscriber identity
5 number and its related key and that is used to identify and
6 authenticate a subscriber using a cellular telephone or
7 other communication device;

8

9 (ii) "SIM card swapping" means an action by a
10 third party that permits the third party to transfer the
11 data of a telecommunications subscriber's SIM card to
12 another SIM card and gain access to the subscriber's
13 account;

14

15 (iii) "Telecommunications company" means as
16 defined by W.S. 39-13-101(a)(vi);

17

18 (iv) "Telecommunications service" means as
19 defined by W.S. 39-13-101(a)(vii);

20

21 (v) "Telecommunications subscriber" means a
22 person who purchases telecommunications service from a
23 telecommunications company.

1

2 **40-12-802. SIM card swapping unlawful.**

3

4 (a) A telecommunications company shall take
5 reasonable actions to prevent SIM card swapping that is not
6 authorized by the telecommunications subscriber.

7

8 (b) If SIM card swapping occurs in violation of
9 subsection (a) of this section, the telecommunications
10 company has committed an unlawful practice under W.S.
11 40-12-105. It shall not be a violation of this subsection
12 if the telecommunications company can establish that an
13 action of the telecommunications subscriber allowed or
14 caused the SIM card swapping to occur.

15

16 **Section 2.** W.S. 40-12-105(a) by creating a new
17 paragraph (xviii) is amended to read:

18

19 **40-12-105. Unlawful practices.**

20

21 (a) A person engages in a deceptive trade practice
22 unlawful under this act when, in the course of his business

1 and in connection with a consumer transaction, he
2 knowingly:

3

4 (xviii) Fails to take reasonable actions to
5 prevent SIM card swapping as provided in W.S. 40-12-802.

6

7 **Section 3.** This act is effective July 1, 2020.

8

9

(END)