

1                   **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2                                   STATE OF OKLAHOMA

3                                   2nd Session of the 59th Legislature (2024)

4 COMMITTEE SUBSTITUTE  
5 FOR  
6 HOUSE BILL NO. 3999

By: Fetgatter

7  
8                                   COMMITTEE SUBSTITUTE

9                   An Act relating to crimes and punishments; amending  
10                   21 O.S. 2021, Section 1533.1, which relates to  
11                   identity theft; authorizing the court to limit or  
12                   prohibit Internet and computer access; allowing for  
13                   the installation of computer monitoring software; and  
14                   providing an effective date.

15 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

16                   SECTION 1.           AMENDATORY           21 O.S. 2021, Section 1533.1, is  
17 amended to read as follows:

18                   Section 1533.1 A. It is unlawful for any person to willfully  
19 and with fraudulent intent obtain the name, address, Social Security  
20 number, date of birth, place of business or employment, debit,  
21 credit or account numbers, driver license number or any other  
22 personal identifying information of another person, living or dead,  
23 with intent to use, sell or allow any other person to use or sell  
24 such personal identifying information to obtain or attempt to obtain

1 money, credit, goods, property or service in the name of the other  
2 person without the consent of that person.

3 B. It is unlawful for any person to use with fraudulent intent  
4 the personal identity of another person, living or dead, or any  
5 information relating to the personal identity of another person,  
6 living or dead, to obtain or attempt to obtain credit or anything of  
7 value.

8 C. It is unlawful for any person with fraudulent intent to  
9 lend, sell, or otherwise offer the use of such person's own name,  
10 address, Social Security number, date of birth or any other personal  
11 identifying information or document to any other person with the  
12 intent to allow such other person to use the personal identifying  
13 information or document to obtain or attempt to obtain any  
14 identifying document in the name of such other person.

15 D. It is unlawful for any person to willfully create, modify,  
16 alter or change any personal identifying information of another  
17 person with fraudulent intent to obtain any money, credit, goods,  
18 property, service or any benefit or thing of value, or to control,  
19 use, waste, hinder or encumber another person's credit, accounts,  
20 goods, property, title, interests, benefits or entitlements without  
21 the consent of that person.

22 E. Any person convicted of violating any provision of this  
23 section shall be guilty of identity theft. Any person who violates  
24 the provisions of subsection A, B or D of this section shall, upon

1 conviction, be guilty of a felony punishable by imprisonment in the  
2 custody of the Department of Corrections for a term of not less than  
3 one (1) year nor more than five (5) years, or a fine not to exceed  
4 One Hundred Thousand Dollars (\$100,000.00), or by both such fine and  
5 imprisonment. Any person who violates the provisions of subsection  
6 A, B or D of this section, and the victim is an individual who is  
7 less than eighteen (18) years of age, shall, upon conviction, be  
8 guilty of a felony punishable by imprisonment in the custody of the  
9 Department of Corrections for a term of not less than two (2) years  
10 nor more than ten (10) years, or a fine not to exceed One Hundred  
11 Thousand Dollars (\$100,000.00), or by both such fine and  
12 imprisonment. Any person who violates the provisions of subsection  
13 C of this section shall, upon conviction, be guilty of a misdemeanor  
14 punishable by imprisonment in the county jail for a term not to  
15 exceed one (1) year, or a fine not to exceed One Hundred Thousand  
16 Dollars (\$100,000.00), or by both such fine and imprisonment.  
17 Restitution to the victim may be ordered in addition to any criminal  
18 penalty imposed by the court. The victim of identity theft may  
19 bring a civil action for damages against any person participating in  
20 furthering the crime or attempted crime of identity theft.

21 F. In addition to the penalties provided for in subsection E of  
22 this section, the court may limit or prohibit the person from  
23 accessing the Internet and from possessing or using computers, as  
24 defined in Section 1952 of this title, or other electronic

1 communications or data storage devices or media. The court may  
2 require the installation of computer monitoring software on  
3 computers possessed by or used by the person.

4 SECTION 2. This act shall become effective November 1, 2024.

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6 COMMITTEE REPORT BY: COMMITTEE ON JUDICIARY - CRIMINAL, dated  
7 02/28/2024 - DO PASS, As Amended.

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