

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
11 personal identifying information or document to any other person
12 with the intent to allow such other person to use the personal
13 identifying information or document to obtain or attempt to obtain
14 any 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 SECTION 2. This act shall become effective November 1, 2021.

22
23 COMMITTEE REPORT BY: COMMITTEE ON APPROPRIATIONS AND BUDGET, dated
24 04/08/2021 - DO PASS, As Amended.