

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL NO. 244

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, after "Teitelbaum," insert "Jimeno"; and in the same line, strike "and Frosh" and substitute "Frosh, Forehand, and Stone".

AMENDMENT NO. 2

On page 1, strike beginning with "using" in line 3 down through "purposes;" in line 5 and substitute "knowingly, willfully, and with fraudulent intent possessing, obtaining, or using an individual's personal identification information for certain purposes without the consent of that individual or the individual's agent;"; strike beginning with "providing" in line 6 down through "circumstances;" in line 7; and strike beginning with "using" in line 9 down through "circumstances" in line 10, and substitute "possessing, obtaining, or using personal identifying information of an individual without consent".

AMENDMENT NO. 3

On page 1, in line 22, strike "THE" and substitute "A"; and in line 25, after "SAVINGS" insert "OR CHECKING".

On page 2, strike in their entirety lines 3 through 11, inclusive, and substitute:

“(C) A PERSON MAY NOT KNOWINGLY, WILLFULLY, AND WITH FRAUDULENT INTENT:

(1) POSSESS PERSONAL IDENTIFYING INFORMATION OF ANOTHER INDIVIDUAL WITHOUT CONSENT OF THAT INDIVIDUAL OR INDIVIDUAL'S AGENT;

(2) OBTAIN OR AID ANOTHER PERSON IN OBTAINING PERSONAL IDENTIFYING INFORMATION OF ANOTHER INDIVIDUAL WITHOUT THE CONSENT OF

(Over)

THAT INDIVIDUAL OR INDIVIDUAL'S AGENT, AND SELL, TRANSFER, OR OTHERWISE USE THAT INFORMATION TO OBTAIN OR ATTEMPT TO OBTAIN ANY BENEFIT, CREDIT, GOODS, SERVICES, OR OTHER THINGS OF VALUE; OR

(3) OBTAIN OR AID ANOTHER PERSON IN OBTAINING PERSONAL IDENTIFYING INFORMATION OF ANOTHER INDIVIDUAL'S AGENT, TO AVOID IDENTIFICATION, APPREHENSION, OR PROSECUTION.

(D) (1) A PERSON WHO VIOLATES SUBSECTION (C)(1) OF THIS SECTION IS GUILTY OF A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO A FINE NOT EXCEEDING \$5,000 OR IMPRISONMENT NOT EXCEEDING 2 YEARS OR BOTH.

(2) A PERSON WHO VIOLATES SUBSECTION (C)(2) OR (3) OF THIS SECTION IS GUILTY OF A FELONY AND ON CONVICTION IS SUBJECT TO A FINE NOT EXCEEDING \$10,000 OR IMPRISONMENT NOT EXCEEDING 15 YEARS OR BOTH.”;

in line 12, strike “(2)” and substitute “(3)”; in the same line, strike “PENALTY” and substitute “PENALTIES”; in the same line, strike “PARAGRAPH (1)” and substitute “PARAGRAPHS (1) AND (2)”; in line 15, strike “SOLD, TRANSFERRED, OR USED,” and substitute “POSSESSED OR OBTAINED IN VIOLATION OF THIS SECTION,”; and strike in their entirety lines 22 through 25, inclusive.