

BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL NO. 334
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “and Shriver” and substitute “Shriver, Dembrow, Moe, and Boschert”.

AMENDMENT NO. 2

On page 1, in line 5, after “purposes;” insert “prohibiting a person from assuming the identity of another for certain purposes under certain circumstances;”; in line 6, after “restitution;” insert “establishing that a sentence under this Act may be imposed in a certain manner under certain circumstances;”; and in line 7, after “theft” insert “and assumption of another’s identity”.

AMENDMENT NO. 3

On page 1, in lines 22 and 23, strike “DEMAND DEPOSIT ACCOUNT NUMBER, SAVINGS ACCOUNT NUMBER” and substitute “BANK OR OTHER FINANCIAL INSTITUTION ACCOUNT NUMBER, DATE OF BIRTH, PERSONAL IDENTIFICATION NUMBER”.

AMENDMENT NO. 4

On page 1, in line 24, strike “AND WILLFULLY” and substitute “, WILLFULLY, AND WITH FRAUDULENT INTENT”; in lines 24 and 25, strike “, ATTEMPT TO OBTAIN,”; in line 25, strike “OR ATTEMPTING TO OBTAIN”; in line 27, strike “AUTHORIZATION” and substitute “CONSENT”; and in the same line, strike “AND SELL, TRANSFER, OR USE THAT” and substitute “FOR THE PURPOSE OF USING THAT INFORMATION OR SELLING OR TRANSFERRING THAT”.

On page 2, in line 1, strike “, OR ATTEMPT TO OBTAIN” and substitute “ANY BENEFIT”; strike beginning with the second “OR” in line 1 down through the second “INDIVIDUAL” in line 2 and substitute “SERVICES, OR OTHER ITEM OF VALUE IN THE NAME OF THAT INDIVIDUAL.”

(Over)

(C) A PERSON MAY NOT KNOWINGLY AND WILLFULLY ASSUME THE IDENTITY OF ANOTHER:

(1) WITH FRAUDULENT INTENT TO OBTAIN ANY BENEFIT, CREDIT, GOODS, SERVICES, OR OTHER ITEM OF VALUE;

(2) WITH FRAUDULENT INTENT TO AVOID THE PAYMENT OF A DEBT OR OTHER LEGAL OBLIGATION; OR

(3) TO AVOID PROSECUTION FOR A CRIME”.

AMENDMENT NO. 5

On page 2, strike in their entirety lines 3 through 14, inclusive, and substitute:

“(D) A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO A FINE NOT EXCEEDING \$5,000 OR IMPRISONMENT IN THE PENITENTIARY NOT EXCEEDING 1 YEAR OR BOTH.

(E) IN ADDITION TO THE RESTITUTION PROVIDED UNDER § 807 OF THIS ARTICLE, A COURT MAY ORDER A PERSON WHO PLEADS GUILTY OR NOLO CONTENDERE OR IS FOUND GUILTY UNDER THIS SECTION TO MAKE RESTITUTION TO THE VICTIM FOR REASONABLE COSTS INCURRED, INCLUDING REASONABLE ATTORNEY’S FEES:

(1) FOR CLEARING THE VICTIM’S CREDIT HISTORY OR CREDIT RATING;

AND

(2) IN CONNECTION WITH ANY CIVIL OR ADMINISTRATIVE PROCEEDING TO SATISFY A DEBT, LIEN, JUDGMENT, OR OTHER OBLIGATION OF THE VICTIM THAT AROSE AS A RESULT OF THE VIOLATION OF THIS SECTION.

(F) A SENTENCE UNDER THIS SECTION MAY BE IMPOSED SEPARATE FROM AND CONSECUTIVE TO OR CONCURRENT WITH A SENTENCE FOR ANY OFFENSE BASED ON THE ACT OR ACTS ESTABLISHING THE VIOLATION OF THIS SECTION. “.