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By: **Delegates Petzold, Bronrott, Franchot, Heller, Hixson, Mandel, Krysiak,  
Dypski, Mohorovic, Rosenberg, and Shriver**  
Introduced and read first time: February 5, 1999  
Assigned to: Judiciary

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A BILL ENTITLED

1 AN ACT concerning

2 **Fraud - Personal Identifying Information Theft**

3 FOR the purpose of prohibiting certain persons from using an individual's personal  
4 identifying information without the authorization of that individual for certain  
5 purposes; establishing certain penalties for a violation of this Act; providing for  
6 certain penalties including restitution; defining a certain term; and generally  
7 relating to personal identifying information theft.

8 BY adding to  
9 Article 27 - Crimes and Punishments  
10 Section 231 to be under the new subheading "Fraud - Personal Identifying  
11 Information"  
12 Annotated Code of Maryland  
13 (1996 Replacement Volume and 1998 Supplement)

14 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
15 MARYLAND, That the Laws of Maryland read as follows:

16 **Article 27 - Crimes and Punishments**

17 **FRAUD - PERSONAL IDENTIFYING INFORMATION**

18 231.

19 (A) IN THIS SECTION, "PERSONAL IDENTIFYING INFORMATION" MEANS THE  
20 NAME, ADDRESS, TELEPHONE NUMBER, DRIVER'S LICENSE NUMBER, SOCIAL  
21 SECURITY NUMBER, PLACE OF EMPLOYMENT, EMPLOYEE IDENTIFICATION NUMBER,  
22 MOTHER'S MAIDEN NAME, DEMAND DEPOSIT ACCOUNT NUMBER, SAVINGS ACCOUNT  
23 NUMBER, OR CREDIT CARD NUMBER OF AN INDIVIDUAL.

24 (B) A PERSON MAY NOT KNOWINGLY AND WILLFULLY OBTAIN, ATTEMPT TO  
25 OBTAIN, OR AID ANOTHER PERSON IN OBTAINING OR ATTEMPTING TO OBTAIN  
26 PERSONAL IDENTIFYING INFORMATION OF AN INDIVIDUAL, WITHOUT THE  
27 AUTHORIZATION OF THAT INDIVIDUAL, AND SELL, TRANSFER, OR USE THAT

1 INFORMATION TO OBTAIN, OR ATTEMPT TO OBTAIN, CREDIT, GOODS, OR SERVICES IN  
2 THE NAME OF THE INDIVIDUAL WITHOUT THE CONSENT OF THAT INDIVIDUAL.

3 (C) A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A MISDEMEANOR  
4 AND ON CONVICTION SHALL:

5 (1) BE SUBJECT TO A FINE OF NOT LESS THAN \$1,000 AND NOT MORE  
6 THAN \$10,000 OR IMPRISONMENT FOR NOT MORE THAN 1 YEAR, OR BOTH; AND

7 (2) MAKE RESTITUTION TO THE VICTIM WHOSE PERSONAL  
8 IDENTIFYING INFORMATION THE DEFENDANT UNLAWFULLY SOLD, TRANSFERRED,  
9 OR USED, FOR ANY COSTS INCLUDING ATTORNEY FEES, INCURRED:

10 (I) CLEARING THE VICTIM'S CREDIT HISTORY OR CREDIT RATING;  
11 OR

12 (II) IN CONNECTION WITH ANY CIVIL OR ADMINISTRATIVE  
13 PROCEEDING TO SATISFY A DEBT, LIEN, OR OTHER OBLIGATION OF THE VICTIM THAT  
14 AROSE AS A RESULT OF THE ACTIONS OF THE DEFENDANT.

15 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
16 October 1, 1999.