

SENATE BILL 325

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2004 Regular Session
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CF HB 191

By: **Senators Jones, Britt, Brochin, Conway, Exum, Forehand, Garagiola,
Giannetti, Gladden, Green, Grosfeld, Hogan, Hughes, Kelley,
Klausmeier, Kramer, McFadden, Middleton, Pinsky, and Teitelbaum**

Introduced and read first time: February 2, 2004

Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Task Force to Study Identity Theft**

3 FOR the purpose of establishing a Task Force to Study Identity Theft; specifying the
4 membership and duties of the Task Force; providing for the appointment of a
5 Senate co-chairman and House co-chairman of the Task Force; providing for the
6 staffing of the Task Force; prohibiting a member of the Task Force from
7 receiving compensation for serving on the Task Force; authorizing a member of
8 the Task Force to receive reimbursement for certain expenses; requiring a
9 certain report on or before a certain date; providing for the termination of the
10 Task Force; and generally relating to the Task Force to Study Identity Theft.

11 WHEREAS, The Federal Trade Commission recently estimated that 27.3 million
12 people nationwide have been victims of some form of identity theft over the last 5
13 years, and 9.9 million people were victims during 2002 alone;

14 WHEREAS, Approximately 3,500 people in Maryland reported being victims of
15 identity theft during 2002;

16 WHEREAS, Fraud based on identity theft cost businesses in the United States
17 approximately \$47.6 billion, or approximately \$4,800 per victim on average;

18 WHEREAS, Victims of identity theft may be forced to spend months or even
19 years and thousands of dollars to clear their good names and credit records; and

20 WHEREAS, Victims of identity theft may lose job opportunities, be refused
21 credit, or even be arrested for crimes they did not commit; now, therefore,

22 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
23 MARYLAND, That:

24 (a) There is a Task Force to Study Identity Theft.

25 (b) The Task Force consists of the following members:

- 1 (1) three members of the Senate of Maryland, appointed by the President
2 of the Senate;
- 3 (2) three members of the House of Delegates, appointed by the Speaker
4 of the House;
- 5 (3) the Attorney General, or the Attorney General's designee;
- 6 (4) the Superintendent of State Police, or the Superintendent's designee;
- 7 (5) the Commissioner of Financial Regulation;
- 8 (6) the following members, appointed by the Governor:
- 9 (i) one representative of the Maryland State's Attorneys'
10 Association;
- 11 (ii) one representative of the Maryland Chiefs of Police Association;
- 12 (iii) one representative of the Maryland Sheriffs' Association;
- 13 (iv) one representative from a State-chartered commercial bank;
14 and
- 15 (v) one representative from a State-chartered credit union; and
- 16 (7) the following members appointed jointly by the President of the
17 Senate and the Speaker of the House:
- 18 (i) one representative who is a retailer in Maryland;
- 19 (ii) one representative from the credit card industry;
- 20 (iii) one representative from a consumer reporting agency;
- 21 (iv) one representative who is affiliated with a recognized consumer
22 group or agency in the State; and
- 23 (v) one representative who is affiliated with a technology-related
24 trade group or association in the State.
- 25 (c) (1) The President of the Senate shall designate one of the members
26 appointed from the Senate of Maryland as co-chairman of the Task Force.
- 27 (2) The Speaker of the House shall designate one of the members
28 appointed from the House of Delegates as co-chairman of the Task Force.
- 29 (d) The Department of Legislative Services shall provide staff for the Task
30 Force.
- 31 (e) A member of the Task Force:

1 (1) may not receive compensation; but

2 (2) is entitled to reimbursement for expenses under the Standard State
3 Travel Regulations, as provided in the State budget.

4 (f) The Task Force shall:

5 (1) study:

6 (i) the problems associated with identity theft in Maryland,
7 including repairing one's credit history and the adequacy of current Maryland law in
8 deterring identity theft; and

9 (ii) privacy laws in other states and at the federal level that address
10 identity theft;

11 (2) consult with:

12 (i) relevant federal agencies, including the Federal Trade
13 Commission and the Federal Bureau of Investigation;

14 (ii) relevant agencies in other states; and

15 (iii) other experts on identity theft; and

16 (3) make recommendations regarding possible remedies to identity theft,
17 including statutory changes.

18 (g) The Task Force shall report its findings and recommendations to the
19 General Assembly on or before December 31, 2005.

20 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
21 July 1, 2004. It shall remain effective for a period of 1 year and 7 months and, at the
22 end of January 31, 2006, with no further action required by the General Assembly,
23 this Act shall be abrogated and of no further force and effect.