
By: **Delegates Lee, Anderson, Barkley, Bobo, Carter, Dumais, Frush,
 Goldwater, Gutierrez, Heller, Howard, King, Madaleno, Mandel, Menes,
 Montgomery, Nathan-Pulliam, Pendergrass, Petzold, Quinter, Shank,
 Shewell, Simmons, Smigiel, Stern, and Taylor**

Introduced and read first time: February 9, 2005

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Identity Fraud - Police Report**

3 FOR the purpose of authorizing a certain person to contact a certain local law
 4 enforcement agency under certain circumstances; requiring a certain local law
 5 enforcement agency to prepare and file a report of alleged identity fraud and
 6 provide a copy of the report to the victim under certain circumstances; providing
 7 that a certain local law enforcement agency may subsequently refer the matter
 8 to a certain other law enforcement agency; providing that a certain report is not
 9 required to be counted as an open case for certain purposes; prohibiting a
 10 certain interpretation of this Act; and generally relating to police reports of
 11 identity fraud.

12 BY adding to
 13 Article - Criminal Law
 14 Section 8-304
 15 Annotated Code of Maryland
 16 (2002 Volume and 2004 Supplement)

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

19 **Article - Criminal Law**

20 8-304.

21 (A) A PERSON WHO KNOWS OR REASONABLY SUSPECTS THAT THE PERSON IS
 22 A VICTIM OF IDENTITY FRAUD, AS PROHIBITED UNDER THIS SUBTITLE, MAY
 23 CONTACT A LOCAL LAW ENFORCEMENT AGENCY THAT HAS JURISDICTION OVER:

24 (1) ANY PART OF THE COUNTY IN WHICH THE PERSON LIVES; OR

25 (2) ANY PART OF THE COUNTY IN WHICH THE CRIME OCCURRED.

1 (B) AFTER BEING CONTACTED BY A PERSON IN ACCORDANCE WITH
2 SUBSECTION (A) OF THIS SECTION, A LOCAL LAW ENFORCEMENT AGENCY SHALL
3 PROMPTLY:

4 (1) PREPARE AND FILE A REPORT OF THE ALLEGED IDENTITY FRAUD;
5 AND

6 (2) PROVIDE A COPY OF THE REPORT TO THE VICTIM.

7 (C) THE LOCAL LAW ENFORCEMENT AGENCY CONTACTED BY THE VICTIM
8 MAY SUBSEQUENTLY REFER THE MATTER TO A LAW ENFORCEMENT AGENCY WITH
9 PROPER JURISDICTION.

10 (D) A REPORT FILED UNDER THIS SECTION IS NOT REQUIRED TO BE COUNTED
11 AS AN OPEN CASE FOR PURPOSES INCLUDING COMPILING OPEN CASE STATISTICS.

12 SECTION 2. AND BE IT FURTHER ENACTED, That this Act may not be
13 interpreted to interfere with the ability of law enforcement to allocate resources for
14 the investigation of crimes.

15 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
16 October 1, 2005.