

Department of Legislative Services
Maryland General Assembly
2005 Session

FISCAL AND POLICY NOTE

House Bill 534

(Montgomery County Delegation and Prince George's
County Delegation)

Judiciary

**Park Police of the Maryland-National Capital Park and Planning Commission -
Investigatory Authority - Fraudulent Use of Personal Identifying Information
MC/PG 130-05**

This bill provides that the Park Police of the Maryland-National Capital Park and Planning Commission (M-NCPPC) have statewide jurisdiction to investigate and enforce fraudulent use of personal identifying information provisions to the same extent as a law enforcement officer of the Department of State Police. If an investigation takes place on property owned, leased, operated by, or under the control of M-NCPPC, notification must be made to the M-NCPPC chief of police or the chief's designee.

Fiscal Summary

State Effect: This bill would not materially affect governmental operations or finances.

Local Effect: The bill's changes could be handled with existing resources.

Small Business Effect: None.

Analysis

Current Law: Notwithstanding any other law, a law enforcement officer of the Maryland Transportation Authority, the Maryland Port Administration, a municipal corporation, or a county may investigate incidents of fraudulent use of personal identifying information without limitation as to jurisdiction and to the same extent as a law enforcement officer of the Department of State Police. The authority may be exercised only in accordance with regulations adopted by the Secretary of the State

Police. Also, the authority may be exercised only if an act related to the crime was committed in the investigating agency's jurisdiction or if the complaining witness resides in the investigating agency's jurisdiction. Notification of an investigation must be provided to the specified, appropriate local law enforcement authorities.

Background: Identity theft is commonly regarded as one of the fastest growing crimes in the United States. Thieves employ a variety of methods, including looking through dumpsters, watching people enter passwords, and "phishing" for personal information over the telephone or via the Internet to siphon off the value of a person's name and credit. The Federal Trade Commission (FTC) reported 246,570 identity theft complaints nationwide in calendar 2004.

According to FTC, in calendar 2004 Maryland was ranked thirteenth out of 50 states for identity theft, with 83 victims per 100,000 population and 4,612 reported identity theft victims. In calendar 2003, Maryland was ranked eleventh for identity theft with 74.9 victims per 100,000 population and 4,124 reported identity theft victims. The most common type of identity theft in Maryland was credit card fraud, occurring to 1,482 or 32% of victims. Phone or utilities fraud occurred in 21% of reported cases and bank fraud occurred in 17% of reported cases. The areas of Maryland that contained the highest reports of identity theft were Baltimore, Silver Spring, Laurel, Columbia, and Rockville. In a comparison of 49 major metropolitan areas, the Washington Metropolitan area ranked eighteenth for identity fraud complaints with 5,142 reported victims and a crime incidence of 107.2 per 100,000 population. The Baltimore Metropolitan area ranked thirtieth with 2,142 reported victims and a crime incidence of 83.9 per 100,000 population.

Additional Information

Prior Introductions: This bill is a reintroduction of HB 393 from the 2003 session. HB 393 passed the House, as amended and was heard in the Judicial Proceedings Committee, but received no further action.

Cross File: None.

Information Source(s): Montgomery County, Prince George's County, Department of State Police, Maryland-National Capital Park and Planning Commission, Federal Trade Commission, Consumer Sentinel, Identity Theft Data Clearinghouse, Department of Legislative Services

Fiscal Note History: First Reader - February 10, 2005
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