

BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL NO. 1453  
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, strike “with intent to defraud” and substitute “willfully or with actual knowledge or a conscious avoidance of actual knowledge”; in line 8, after “a” insert “legitimate”; in the same line, after “business;” insert “prohibiting a person from conspiring or attempting to violate this Act; prohibiting a person, willfully or with actual knowledge or a conscious avoidance of actual knowledge, from possessing with intent to use in a fraudulent manner, sell, or distribute certain identifying information obtained in violation of this Act;”; and in line 12, after “public” insert “whose network is used to transmit a message in violation of this Act”.

AMENDMENT NO. 2

On page 2, in line 11, after “(PIN)” insert “FOR A FINANCIAL ACCOUNT”; in line 19, strike “DOCUMENT, FILE, OR”; in line 22, after “(B)” insert “(1)”; in line 23, strike “WITH INTENT TO DEFRAUD” and substitute “WILLFULLY OR WITH ACTUAL KNOWLEDGE OR CONSCIOUS AVOIDANCE OF ACTUAL KNOWLEDGE”; in line 26, after “A” insert “LEGITIMATE”; after line 27, insert:

“(2) A PERSON MAY NOT CONSPIRE WITH ANOTHER PERSON OR ATTEMPT TO ENGAGE IN AN ACT THAT VIOLATES PARAGRAPH (1) OF THIS SUBSECTION.”

“(3) A PERSON MAY NOT WILLFULLY, OR WITH ACTUAL KNOWLEDGE OR CONSCIOUS AVOIDANCE OF ACTUAL KNOWLEDGE, POSSESS WITH INTENT TO USE IN A FRAUDULENT MANNER, SELL, OR DISTRIBUTE IDENTIFYING INFORMATION OBTAINED IN VIOLATION OF PARAGRAPH (1) OF THIS SUBSECTION.”;

in line 30, strike “1 YEAR” and substitute “5 YEARS”; and in the same line, strike “\$2,500” and substitute “\$100,000”.

(Over)

AMENDMENT NO. 3

On page 3, in line 4, after "PUBLIC" insert "WHOSE NETWORK IS USED TO TRANSMIT A MESSAGE IN VIOLATION OF THIS SECTION".