

CHAPTER 10

(House Bill 26)

AN ACT concerning

Task Force to Study Identity Theft

FOR the purpose of altering a date by which the Task Force to Study Identity Theft is required to make a certain report; providing for an alternate date for the termination of the Task Force; making this Act an emergency measure; and generally relating to the Task Force to Study Identity Theft.

BY repealing and reenacting, with amendments,
Chapter 241 of the Acts of the General Assembly of 2005
Section 1 and 2

BY repealing and reenacting, with amendments,
Chapter 242 of the Acts of the General Assembly of 2005
Section 1 and 2

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

Chapter 241 of the Acts of 2005

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

- (a) There is a Task Force to Study Identity Theft.
- (b) The Task Force consists of the following members:
 - (1) two members of the Senate of Maryland, appointed by the President of the Senate;
 - (2) three members of the House of Delegates, appointed by the Speaker of the House;
 - (3) the Attorney General, or the Attorney General's designee;

- (4) the Superintendent of State Police, or the Superintendent's designee;
 - (5) the Commissioner of Financial Regulation;
 - (6) the Administrator of the Motor Vehicle Administration, or the Administrator's designee;
 - (7) the following members, appointed by the Governor:
 - (i) one representative of the Maryland State's Attorneys' Association;
 - (ii) one representative of the Maryland Chiefs of Police Association;
 - (iii) one representative of the Maryland Sheriffs' Association;
 - (iv) one representative of a State-chartered commercial bank or a national banking association with a branch office in the State; and
 - (v) one representative of a State-chartered credit union; **AND**
 - (8) the following members appointed jointly by the President of the Senate and the Speaker of the House:
 - (i) one representative from the retail industry;
 - (ii) one representative from the credit card industry;
 - (iii) one representative from a consumer reporting agency;
 - (iv) three representatives who are affiliated with a recognized consumer group or agency in the State; and
 - (v) one representative who is affiliated with a technology-related trade group or association in the State.
- (c) (1) The President of the Senate shall designate one of the members appointed from the Senate of Maryland as co-chairman of the Task Force.

(2) The Speaker of the House shall designate one of the members appointed from the House of Delegates as co-chairman of the Task Force.

(d) The Department of Legislative Services shall provide staff for the Task Force.

(e) A member of the Task Force:

(1) may not receive compensation; but

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

(f) The Task Force shall:

(1) study:

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

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

(2) consult with:

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

(ii) relevant agencies in other states; and

(iii) other experts on identity theft;

(3) survey State agencies to determine compliance with State and federal laws relating to the collection and use of Social Security numbers, including § 10-624 of the State Government Article and the Federal Privacy Act of 1974, 5 U.S.C. § 552a; and

(4) make recommendations regarding possible remedies to identity theft, including statutory changes.

(g) The Task Force shall report its findings and recommendations to the General Assembly on or before December 31, [2006] **2007**.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2005. It shall remain effective for a period of [1 year] **2 YEARS** and 7 months and, at the end of January 31, [2007] **2008**, with no further action required by the General Assembly, this Act shall be abrogated and of no further force and effect.

Chapter 242 of the Acts of 2005

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

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

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

(1) two members of the Senate of Maryland, appointed by the President of the Senate;

(2) three members of the House of Delegates, appointed by the Speaker of the House;

(3) the Attorney General, or the Attorney General's designee;

(4) the Superintendent of State Police, or the Superintendent's designee;

(5) the Commissioner of Financial Regulation;

(6) the Administrator of the Motor Vehicle Administration, or the Administrator's designee;

(7) the following members, appointed by the Governor:

(i) one representative of the Maryland State's Attorneys' Association;

(ii) one representative of the Maryland Chiefs of Police Association;

(iii) one representative of the Maryland Sheriffs' Association;

(iv) one representative from a State-chartered commercial bank or a national banking association with a branch office in the State; and

(v) one representative of a State-chartered credit union; and

(8) the following members appointed jointly by the President of the Senate and the Speaker of the House:

(i) one representative from the retail industry;

(ii) one representative from the credit card industry;

(iii) one representative from a consumer reporting agency;

(iv) three representatives who are affiliated with a recognized consumer group or agency in the State; and

(v) one representative who is affiliated with a technology-related trade group or association in the State.

(c) (1) The President of the Senate shall designate one of the members appointed from the Senate of Maryland as co-chairman of the Task Force.

(2) The Speaker of the House shall designate one of the members appointed from the House of Delegates as co-chairman of the Task Force.

(d) The Department of Legislative Services shall provide staff for the Task Force.

(e) A member of the Task Force:

(1) may not receive compensation; but

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

(f) The Task Force shall:

(1) study:

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

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

(iii) issues relating to restricting information that is provided on consumer reports;

(2) consult with:

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

(ii) relevant agencies in other states; and

(iii) other experts on identity theft;

(3) survey State agencies to determine compliance with State and federal laws relating to the collection and use of Social Security numbers, including § 10-624 of the State Government Article and the Federal Privacy Act of 1974, 5 U.S.C. § 552a; and

(4) make recommendations regarding possible remedies to identity theft, including statutory changes.

(g) The Task Force shall report its findings and recommendations to the General Assembly on or before December 31, [2006] **2007**.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2005. It shall remain effective for a period of [1 year] **2 YEARS** and 7 months and, at the end of January 31, [2007] **2008**, with no further action required by the General Assembly, this Act shall be abrogated and of no further force and effect.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act is an emergency measure, is necessary for the immediate preservation of the public health or safety, has been passed by a yea and nay vote supported by three-fifths of all the members elected to each of the two Houses of the General Assembly, and shall take effect from the date it is enacted.

Approved by the Governor, April 10, 2007.