♣ Approved for Filing: ECM♣ 01-13-99 4:47 PM♣

1	IDENTIFICATION NUMBER FRAUD
2	1999 GENERAL SESSION
3	STATE OF UTAH
4	Sponsor: Chad E. Bennion
5	A. Lamont Tyler
6	AN ACT RELATING TO COMMERCE AND TRADE AND THE CRIMINAL CODE;
7	DEFINING AN IDENTIFICATION NUMBER; CREATING THE CRIME OF
8	IDENTIFICATION NUMBER FRAUD; AND PROVIDING A PENALTY.
9	This act affects sections of Utah Code Annotated 1953 as follows:
10	ENACTS:
11	13-30-1 , Utah Code Annotated 1953
12	76-6-523 , Utah Code Annotated 1953
13	Be it enacted by the Legislature of the state of Utah:
14	Section 1. Section 13-30-1 is enacted to read:
15	13-30-1. Identification number defined Use by others.
16	(1) "Identification number" means a series of numbers, letters, symbols, a combination of
17	them, or any other information used to identify a person, account, business, agency, organization
18	or transaction, which includes:
19	(a) Social Security numbers;
20	(b) driver's license numbers;
21	(c) insurance, bank, or financial institution account numbers;
22	(d) financial transaction card numbers;
23	(e) personal identification codes;
24	(f) personal identification numbers;
25	(g) digital signatures; and
26	(h) any other number or information which can be used to access a person's personal
27	information or financial resources.

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28	(2) A person's identification number or numbers may only be used by another person,
29	agency, business, or organization with the person's consent.
30	Section 2. Section 76-6-523 is enacted to read:
31	76-6-523. Identification number fraud.
32	(1) As used in this section, "identification number" shall have the same meaning as in
33	Section 13-30-1.
34	(2) A person is guilty of identification number fraud if, not amounting to a violation of
35	another provision of law that carries a greater penalty, that person, with intent to defraud or
36	deceive, possesses, acquires, uses, or divulges the identification number of another.
37	(3) Identification number fraud is:
38	(a) a second degree felony if the identification number is used and the value of the
39	property, money, or thing obtained or sought to be obtained is or exceeds \$5,000; otherwise
40	(b) a third degree felony.
41	(4) Multiple violations within a 90-day period may be aggregated into a single offense, and
42	the degree of the offense is determined by the total value of all property, money, or things obtained
43	or sought to be obtained through the multiple violations.
44	Section 3. Effective date.
45	This act takes effect on July 1, 1999.

Legislative Review Note as of 1-13-99 11:37 AM

A limited legal review of this legislation raises no obvious constitutional or statutory concerns.

Office of Legislative Research and General Counsel

Committee Note

The Judiciary Interim Committee recommended this bill.