

Effective 5/3/2023

35A-4-312.5 Suspected misuse of personal identifying information.

(1) As used in this section:

- (a) "Child identity protection plan" is a program operated by the attorney general that uses IRIS and allows the attorney general to enter into an agreement with a third party to transmit verified personal information of a person younger than 18 years of age through secured means to enable the protection of the person's Social Security number from misuse.
- (b) "IRIS" means the Identity Theft Reporting Information System operated by the attorney general.
- (c) "Personal identifying information" has the same meaning as defined in Section 76-6-1101.
- (d) "Suspected misuse of personal identifying information" includes:
 - (i) a social security number under which wages are being reported by two or more individuals;
or
 - (ii) a social security number of an individual under the age of 18 with reported wages exceeding \$1,000 for a single reporting quarter.

(2) Notwithstanding Section 35A-4-312, if the department records disclose a suspected misuse of personal identifying information by an individual other than the purported owner of the information, or if a parent, guardian, or individual under the age of 18 is enrolling or has enrolled in the child identity protection plan, the department may:

- (a) inform the purported owner of the information or, if the purported owner is a minor, the minor's parent or guardian, of the suspected misuse; and
- (b) provide information of the suspected misuse to an appropriate law enforcement agency responsible for investigating an identity fraud violation.

Amended by Chapter 111, 2023 General Session