

1 **IDENTITY FRAUD AMENDMENTS**

2 2003 GENERAL SESSION

3 STATE OF UTAH

4 **Sponsor: Peter C. Knudson**

5 **This act modifies the Criminal Code regarding identity fraud offenses by providing that**
6 **in addition to law enforcement agencies, the Office of the Attorney General has**
7 **responsibility for investigating these offenses. This act also removes this responsibility**
8 **from the Division of Consumer Protection.**

9 This act affects sections of Utah Code Annotated 1953 as follows:

10 AMENDS:

11 **76-6-1103**, as last amended by Chapter 122, Laws of Utah 2002

12 *Be it enacted by the Legislature of the state of Utah:*

13 Section 1. Section **76-6-1103** is amended to read:

14 **76-6-1103. Investigation, jurisdiction, and prima facie evidence of violation.**

15 (1) In any criminal proceeding brought pursuant to this section, the crime shall be
16 considered to have been committed in any county in which any part of the identity fraud took
17 place, regardless of whether the defendant was ever actually in that county.

18 (2) In addition to investigations conducted by law enforcement agencies, the [~~Division~~
19 ~~of Consumer Protection~~] Office of the Attorney General also has responsibility for
20 investigating violations of this part where identity fraud is the primary violation that is alleged
21 to have been committed.

22 (3) A criminal conviction under this part is prima facie evidence of a violation of
23 Section 13-11-4, of the Utah Consumer Sales Practices Act.

24 (4) Any violation of this part constitutes a violation of Section 13-11-4, of the Utah
25 Consumer Sales Practices Act.



Legislative Review Note

as of 2-6-03 9:36 AM

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

Office of Legislative Research and General Counsel

Fiscal Note
Bill Number SB0207

Identity Fraud Amendments

13-Feb-03

3:31 PM

State Impact

It is estimated that provisions of this bill can be implemented with existing resources.

Individual and Business Impact

No fiscal impact.

Office of the Legislative Fiscal Analyst