

Representative Karen W. Morgan proposes the following substitute bill:

DOCUMENT FRAUD

2008 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Karen W. Morgan

Senate Sponsor: Lyle W. Hillyard

LONG TITLE

General Description:

This bill creates a Document Fraud-Identity Theft Unit within the Office of the Attorney General to investigate, apprehend, and prosecute individuals and entities involved with identity theft or identity fraud.

Highlighted Provisions:

This bill:

- ▶ creates a Document Fraud-Identity Theft Unit within the Office of the Attorney General to prosecute identify theft and identity fraud;
- ▶ provides for staffing of the unit; and
- ▶ provides that the primary purpose of the unit is to investigate, apprehend, and prosecute individuals and entities that make, use, or distribute fraudulent documents used for identity purposes.

Monies Appropriated in this Bill:

This bill appropriates:

- ▶ as an ongoing appropriation subject to future budget constraints, \$275,100 from the General Fund for fiscal year 2008-09, to the Office of the Attorney General to be used to fund the Document Fraud-Identity Theft Unit created in Section 67-5-22.5.

Other Special Clauses:



26 This bill takes effect on July 1, 2008.

27 **Utah Code Sections Affected:**

28 ENACTS:

29 **67-5-22.5**, Utah Code Annotated 1953

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

32 Section 1. Section **67-5-22.5** is enacted to read:

33 **67-5-22.5. Document Fraud - Identity Theft Unit.**

34 (1) In conjunction with Section 76-6-1103, the attorney general shall establish within
35 the Office of the Attorney General a Document Fraud- Identity Theft Unit, hereafter referred to
36 in this section as "the unit".

37 (2) (a) The unit shall be comprised of at least:

38 (i) one staff attorney; and

39 (ii) one investigator.

40 (b) Subsection (2)(a) does not prohibit the assignment of additional personnel to the
41 unit subject to the availability of funding.

42 (3) The primary purpose of the unit is:

43 (a) to investigate, apprehend, and prosecute individuals and entities that:

44 (i) participate in the production, sale, or distribution of fraudulent documents used for
45 identification purposes, to include identity theft and identity fraud; and

46 (ii) knowingly, intentionally, or recklessly forge, alter counterfeit, or falsely make or
47 provide an identification document for the purpose of obtaining goods or services or any other
48 thing of value; and

49 (b) to specialize in the analysis of fraudulent identification documents created and
50 prepared for individuals who are seeking to illegally obtain goods or services or any other thing
51 of value through use of the documents.

52 **Section 2. Appropriation.**

53 As an ongoing appropriation subject to future budget constraints, there is appropriated
54 from the General Fund for fiscal year 2008-09, \$275,100 to the Office of the Attorney General
55 to fund the Document Fraud-Identity Theft Unit created in Section 67-5-22.5.

56 **Section 3. Effective date.**

57

This bill takes effect on July 1, 2008.

H.B. 95 1st Sub. (Buff) - Document Fraud

Fiscal Note

2008 General Session
State of Utah

State Impact

The bill appropriates ongoing General Funds of \$275,100 beginning FY 2009 to the Office of the Attorney General to implement provisions of this bill.

	<u>FY 2008</u> <u>Approp.</u>	<u>FY 2009</u> <u>Approp.</u>	<u>FY 2010</u> <u>Approp.</u>	<u>FY 2008</u> <u>Revenue</u>	<u>FY 2009</u> <u>Revenue</u>	<u>FY 2010</u> <u>Revenue</u>
General Fund	\$0	\$275,100	\$275,100	\$0	\$0	\$0
Total	\$0	\$275,100	\$275,100	\$0	\$0	\$0

Individual, Business and/or Local Impact

Enactment of this bill likely will not result in direct, measurable costs and/or benefits for individuals, businesses, or local governments.