

**CHILD IDENTITY THEFT PROTECTION AMENDMENTS**

2011 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Eric K. Hutchings**

Senate Sponsor: Karen Mayne

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**LONG TITLE**

**General Description:**

This bill modifies the Utah Workforce Services Code relating to the suspected misuse of personal identifying information.

**Highlighted Provisions:**

This bill:

- ▶ provides definitions;
- ▶ includes in the definition of "suspected misuse of personal identifying information" reported wages exceeding \$1,000 for a single reporting quarter for an individual under the age of 18, rather than the current age of younger than 16; and
- ▶ authorizes the Department of Workforce Services to notify the owner of personal identifying information or provide information to an appropriate law enforcement agency responsible for investigating an identity fraud violation if an individual younger than 18 years of age or the parent or guardian of the individual has enrolled the individual in the child identity ~~theft~~ [theft] ~~protection~~ protection plan or is in the process of enrolling the person.

**Money Appropriated in this Bill:**

None

**Other Special Clauses:**

None

**Utah Code Sections Affected:**

H.B. 168



28 AMENDS:

29 **35A-4-312.5**, as enacted by Laws of Utah 2007, Chapter 264

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

32 Section 1. Section **35A-4-312.5** is amended to read:

33 **35A-4-312.5. Suspected misuse of personal identifying information.**

34 (1) As used in this section:

35 (a) "Child identity protection plan" is a program operated by the attorney general that  
 36 uses IRIS and allows the attorney general to ~~H→~~ **enter into an agreement with a third**  
 36a **party to** ~~←H~~ transmit verified personal information of a person

37 younger than 18 years of age through secured means ~~H→~~ [to a credit bureau or other  
 37a third party] ~~←H~~ to

38 enable the protection of the person's Social Security number from misuse.

39 (b) "IRIS" means the Identity Theft Reporting Information System operated by the  
 40 attorney general.

41 [~~a~~] (c) "Personal identifying information" has the same meaning as defined in Section  
 42 76-6-1102.

43 [~~b~~] (d) "Suspected misuse of personal identifying information" includes:

44 (i) a Social Security number under which wages are being reported by two or more  
 45 individuals; or

46 (ii) a Social Security number of an individual under the age of [~~16~~] 18 with reported  
 47 wages exceeding \$1,000 for a single reporting quarter.

48 (2) Notwithstanding Section 35A-4-312, if the department records disclose a suspected  
 49 misuse of personal identifying information by an individual other than the purported owner of  
 50 the information, or if a parent, guardian, or individual under the age of 18 is enrolling or has  
 51 enrolled in the child identity ~~H→~~ **[theft]** ~~←H~~ protection plan, the department may:

52 (a) inform the purported owner of the information or, if the purported owner is a minor,  
 53 the minor's parent or guardian, of the suspected misuse; and

54 (b) provide information of the suspected misuse to an appropriate law enforcement  
 55 agency responsible for investigating an identity fraud violation.