

CHILD IDENTITY THEFT PROTECTION AMENDMENTS

2011 GENERAL SESSION

STATE OF UTAH

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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 protection plan or is in the process of enrolling the person.

Money Appropriated in this Bill:

29 None

30 **Other Special Clauses:**

31 None

32 **Utah Code Sections Affected:**

33 AMENDS:

34 **35A-4-312.5**, as enacted by Laws of Utah 2007, Chapter 264



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

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

38 **35A-4-312.5. Suspected misuse of personal identifying information.**

39 (1) As used in this section:

40 (a) "Child identity protection plan" is a program operated by the attorney general that
41 uses IRIS and allows the attorney general to enter into an agreement with a third party to
42 transmit verified personal information of a person younger than 18 years of age through
43 secured means to enable the protection of the person's Social Security number from misuse.

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

46 [~~(a)~~] (c) "Personal identifying information" has the same meaning as defined in Section
47 76-6-1102.

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

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

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

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

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