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FISCAL IMPACT REPORT

SPONSOR: King DATE TYPED: 02/09/01 HB 347

SHORT TITLE: Theft of Identity SB _____

ANALYST: Rael

APPROPRIATION

Appropriation Contained		Estimated Additional Impact		Recurring or Non-Rec	Fund Affected
FY01	FY02	FY01	FY02		
		See Narrative			

(Parenthesis () Indicate Expenditure Decreases)

Relates to: HB 317

SOURCES OF INFORMATION

Attorney General's Office (AGO)
 Office of the District Attorney (AOC)
 Administrative Office of the District Attorneys (AODA)

SUMMARY

Synopsis of Bill

The Theft of Identity bill prohibits willfully obtaining personal identifying information of another person and using that information without the authorization or consent of that person.

This bill prescribes the following penalties:

- Whoever commits theft of identity when there is no direct financial impact on the person who did not authorize use of personal identifying information is guilty of a misdemeanor.
- Whoever commits theft of identity to obtain money, credit, goods, services or anything of value and the value is \$1,000 or less is guilty of a misdemeanor.
- Whoever commits theft of identity when there is a financial impact greater than \$1,000 but not more than \$2,500 is guilty of a fourth degree felony.
- Whoever commits theft of identity when there is a financial impact greater than \$2,500 but not more than \$20,000 is guilty of a third degree felony.
- Whoever commits theft of identity when there is a financial impact greater than \$20,000 is guilty of a second degree felony.

FISCAL IMPLICATIONS

See Administrative Implications.

ADMINISTRATIVE IMPLICATIONS

It will cost the judicial system \$400 for statewide update, distribution, and documentation of statutory changes. Any additional fiscal impact on the judiciary would be proportional to the enforcement of this law and commenced prosecutions. The increased workload would include not only initial case processing and judicial time, but also tracking cases to completion, including probation and compliance with other conditions of release. New laws, amendments to existing laws, and new hearings have the potential to increase caseloads in the courts, thus requiring additional resources to handle the increase.

OTHER SUBSTANTIVE ISSUES

The First Judicial District Attorney's Office receives numerous complaints, particularly from the elderly, regarding theft of identity. While some crimes can be charged under current law (such as theft of a credit card) many have not been charged because there is no current statute under which to charge these offenses.

FAR/sb:pr