

1 STATE OF OKLAHOMA

2 2nd Session of the 50th Legislature (2006)

3 HOUSE BILL 2109

By: Martin

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5
6 AS INTRODUCED

7 An Act relating to crimes and punishments; amending
8 21 O.S. 2001, Section 1533.1, as amended by Section
9 1, Chapter 279, O.S.L. 2004 (21 O.S. Supp. 2005,
10 Section 1533.1), which relates to identity theft;
11 modifying penalty; and providing an effective date.

12 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

13 SECTION 1. AMENDATORY 21 O.S. 2001, Section 1533.1, as
14 amended by Section 1, Chapter 279, O.S.L. 2004 (21 O.S. Supp. 2005,
15 Section 1533.1), is amended to read as follows:

16 Section 1533.1 A. It is unlawful for any person to willfully
17 and with fraudulent intent obtain the name, address, social security
18 number, date of birth, place of business or employment, debit,
19 credit or account numbers, driver license number, or any other
20 personal identifying information of another person, living or dead,
21 with intent to use, sell, or allow any other person to use or sell
22 such personal identifying information to obtain or attempt to obtain
23 money, credit, goods, property, or service in the name of the other
24 person without the consent of that person.

25 B. It is unlawful for any person to use with fraudulent intent
26 the personal identity of another person, living or dead, or any
27 information relating to the personal identity of another person,
28 living or dead, to obtain or attempt to obtain credit or anything of
29 value.

30 C. It is unlawful for any person with fraudulent intent to
31 lend, sell, or otherwise offer the use of such person's own name,
32 address, social security number, date of birth, or any other

1 personal identifying information or document to any other person
2 with the intent to allow such other person to use the personal
3 identifying information or document to obtain or attempt to obtain
4 any identifying document in the name of such other person.

5 D. It is unlawful for any person to willfully create, modify,
6 alter or change any personal identifying information of another
7 person with fraudulent intent to obtain any money, credit, goods,
8 property, service or any benefit or thing of value, or to control,
9 use, waste, hinder or encumber another person's credit, accounts,
10 goods, property, title, interests, benefits or entitlements without
11 the consent of that person.

12 E. Any person convicted of violating any provision of this
13 section shall be guilty of identity theft. Identity theft is a
14 felony offense punishable by imprisonment in the custody of the
15 Department of Corrections for a ~~period not to exceed~~ term not less
16 than two (2) years nor more than seven (7) years, or a fine not to
17 exceed One Hundred Thousand Dollars (\$100,000.00), or by both such
18 fine and imprisonment. Restitution to the victim may be ordered in
19 addition to any criminal penalty imposed by the court. The victim
20 of identity theft may bring a civil action for damages against any
21 person participating in furthering the crime or attempted crime of
22 identity theft.

23 SECTION 2. This act shall become effective November 1, 2006.

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