

1 STATE OF OKLAHOMA

2 1st Session of the 51st Legislature (2007)

3 CONFERENCE COMMITTEE  
4 SUBSTITUTE  
5 FOR ENGROSSED  
6 HOUSE BILL NO. 1329

By: Martin (Steve), Braddock,  
Inman, Sears, Terrill and  
Kern of the House

7 and

8 Ford, Crain and Easley of  
9 the Senate

10  
11 CONFERENCE COMMITTEE SUBSTITUTE

12 An Act relating to crimes and punishments; amending  
13 21 O.S. 2001, Section 1533.1, as amended by Section  
14 1, Chapter 279, O.S.L. 2004 (21 O.S. Supp. 2006,  
15 Section 1533.1), which relates to identity theft;  
16 modifying penalty; and providing an effective date.

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

18 SECTION 1. AMENDATORY 21 O.S. 2001, Section 1533.1, as  
19 amended by Section 1, Chapter 279, O.S.L. 2004 (21 O.S. Supp. 2006,  
20 Section 1533.1), is amended to read as follows:

21 Section 1533.1 A. It is unlawful for any person to willfully  
22 and with fraudulent intent obtain the name, address, social security  
23 number, date of birth, place of business or employment, debit,  
24 credit or account numbers, driver license number, or any other

1 personal identifying information of another person, living or dead,  
2 with intent to use, sell, or allow any other person to use or sell  
3 such personal identifying information to obtain or attempt to obtain  
4 money, credit, goods, property, or service in the name of the other  
5 person without the consent of that person.

6 B. It is unlawful for any person to use with fraudulent intent  
7 the personal identity of another person, living or dead, or any  
8 information relating to the personal identity of another person,  
9 living or dead, to obtain or attempt to obtain credit or anything of  
10 value.

11 C. It is unlawful for any person with fraudulent intent to  
12 lend, sell, or otherwise offer the use of such person's own name,  
13 address, social security number, date of birth, or any other  
14 personal identifying information or document to any other person  
15 with the intent to allow such other person to use the personal  
16 identifying information or document to obtain or attempt to obtain  
17 any identifying document in the name of such other person.

18 D. It is unlawful for any person to willfully create, modify,  
19 alter or change any personal identifying information of another  
20 person with fraudulent intent to obtain any money, credit, goods,  
21 property, service or any benefit or thing of value, or to control,  
22 use, waste, hinder or encumber another person's credit, accounts,  
23 goods, property, title, interests, benefits or entitlements without  
24 the consent of that person.

1 E. Any person convicted of violating any provision of this  
2 section shall be guilty of identity theft. Identity theft is a  
3 felony offense punishable by imprisonment in the custody of the  
4 Department of Corrections for a ~~period not to exceed two (2)~~ term of  
5 not less than one (1) year nor more than five (5) years, or a fine  
6 not to exceed One Hundred Thousand Dollars (\$100,000.00), or by both  
7 such fine and imprisonment. Restitution to the victim may be  
8 ordered in addition to any criminal penalty imposed by the court.  
9 The victim of identity theft may bring a civil action for damages  
10 against any person participating in furthering the crime or  
11 attempted crime of identity theft.

12 SECTION 2. This act shall become effective November 1, 2007.

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14 51-1-8044 GRS 05/09/07

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