

BY repealing and reenacting, with amendments,

Article – Criminal Procedure

Section 2–102(c)

Annotated Code of Maryland

(2001 Volume and 2005 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

**Article – Criminal Law**

8–301.

(a) (1) In this section the following words have the meanings indicated.

(2) “Payment device number” has the meaning stated in § 8–213 of this title.

(3) “Personal identifying information” means a name, address, telephone number, driver’s license number, Social Security number, place of employment, employee identification number, mother’s maiden name, bank or other financial institution account number, date of birth, personal identification number, credit card number, or other payment device number.

(b) A person may not knowingly, willfully, and with fraudulent intent possess, obtain, or help another to possess or obtain any personal identifying information of an individual, without the consent of the individual, in order to use, sell, or transfer the information to get a benefit, credit, good, service, or other thing of value in the name of the individual.

(c) A person may not knowingly and willfully assume the identity of another:

(1) to avoid identification, apprehension, or prosecution for a crime; or

(2) with fraudulent intent to:

(i) get a benefit, credit, good, service, or other thing of value; or

(ii) avoid the payment of debt or other legal obligation.

(i) (1) Notwithstanding any other law, a law enforcement officer of the Maryland Transportation Authority Police, the Maryland Port Administration Police, THE PARK POLICE OF THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION, or a municipal corporation or county may investigate violations of this section throughout the State without any limitation as to jurisdiction and to the same extent as a law enforcement officer of the Department of State Police.

(2) The authority granted in paragraph (1) of this subsection may be exercised only in accordance with regulations that the Department of State Police adopts.

(3) The regulations are not subject to Title 10, Subtitle 1 of the State Government Article.