

~~personal identifying information of an individual without the consent or authorization of the individual under certain circumstances possessing, obtaining, or using personal identifying information of an individual without consent certain persons from using an individual's personal identifying information without the consent of that individual for certain purposes; prohibiting a person from assuming the identity of another for certain purposes under certain circumstances; establishing certain penalties for a violation of this Act; providing for certain penalties including restitution; establishing that a sentence under this Act may be imposed in a certain manner under certain circumstances; defining a certain term; and generally relating to personal identifying information theft and assumption of another's identity.~~

BY adding to

Article 27 - Crimes and Punishments

Section 231 to be under the new subheading "Fraud - Personal Identifying Information"

Annotated Code of Maryland

(1996 Replacement Volume and 1998 Supplement)

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

Article 27 - Crimes and Punishments

FRAUD - PERSONAL IDENTIFYING INFORMATION

231.

~~(A) IN THIS SECTION, "PERSONAL IDENTIFYING INFORMATION" MEANS THE A NAME, ADDRESS, SIGNATURE, TELEPHONE NUMBER, DRIVER'S LICENSE NUMBER, SOCIAL SECURITY NUMBER, PLACE OF EMPLOYMENT, EMPLOYEE IDENTIFICATION NUMBER, MOTHER'S MAIDEN NAME, DEMAND DEPOSIT ACCOUNT NUMBER, SAVINGS OR CHECKING ACCOUNT NUMBER, OR CREDIT CARD NUMBER OF AN INDIVIDUAL.~~

~~(B) THIS SECTION DOES NOT AFFECT THE APPLICABILITY OF ANY OTHER PROVISION OF LAW TO A TRANSACTION THAT VIOLATES THIS SECTION.~~

~~(C) A PERSON MAY NOT INTENTIONALLY USE, ATTEMPT TO USE, OR REPRESENT THAT THE PERSON IS ACTING WITH THE AUTHORIZATION OR CONSENT TO USE ANY PERSONAL IDENTIFYING INFORMATION OR PERSONAL IDENTIFICATION DOCUMENT OF AN INDIVIDUAL TO OBTAIN CREDIT, MONEY, GOODS, SERVICES, OR ANYTHING ELSE OF VALUE WITHOUT THE AUTHORIZATION OR CONSENT OF THE INDIVIDUAL.~~

~~(D) (1) A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A MISDEMEANOR AND ON CONVICTION SHALL BE SUBJECT TO A FINE NOT EXCEEDING \$1,000 OR IMPRISONMENT NOT EXCEEDING 1 YEAR OR BOTH.~~

~~(E) A PERSON MAY NOT KNOWINGLY, WILLFULLY, AND WITH FRAUDULENT INTENT.~~