

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 NAME, ADDRESS, TELEPHONE NUMBER, DRIVER'S LICENSE NUMBER, SOCIAL SECURITY NUMBER, PLACE OF EMPLOYMENT, EMPLOYEE IDENTIFICATION NUMBER, MOTHER'S MAIDEN NAME, ~~DEMAND DEPOSIT ACCOUNT NUMBER, SAVINGS ACCOUNT NUMBER BANK OR OTHER FINANCIAL INSTITUTION ACCOUNT NUMBER, DATE OF BIRTH, PERSONAL IDENTIFICATION NUMBER, OR CREDIT CARD NUMBER OF AN INDIVIDUAL.~~

(B) A PERSON MAY NOT KNOWINGLY ~~AND WILLFULLY~~, WILLFULLY, AND WITH FRAUDULENT INTENT OBTAIN, ~~ATTEMPT TO OBTAIN~~, OR AID ANOTHER PERSON IN OBTAINING ~~OR ATTEMPTING TO OBTAIN~~ PERSONAL IDENTIFYING INFORMATION OF AN INDIVIDUAL, WITHOUT THE AUTHORIZATION CONSENT OF THAT INDIVIDUAL, ~~AND SELL, TRANSFER, OR USE THAT FOR THE PURPOSE OF USING THAT INFORMATION OR SELLING OR TRANSFERRING THAT INFORMATION TO OBTAIN, OR ATTEMPT TO OBTAIN ANY BENEFIT, CREDIT, GOODS, OR SERVICES IN THE NAME OF THE INDIVIDUAL WITHOUT THE CONSENT OF THAT INDIVIDUAL SERVICES, OR OTHER ITEM OF VALUE IN THE NAME OF THAT INDIVIDUAL.~~

(C) A PERSON MAY NOT KNOWINGLY AND WILLFULLY ASSUME THE IDENTITY OF ANOTHER:

(1) WITH FRAUDULENT INTENT TO OBTAIN ANY BENEFIT, CREDIT, GOODS, SERVICES, OR OTHER ITEM OF VALUE;

(2) WITH FRAUDULENT INTENT TO AVOID THE PAYMENT OF A DEBT OR OTHER LEGAL OBLIGATION; OR

(3) TO AVOID PROSECUTION FOR A CRIME.