

(2002 Volume)

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.

(d) (1) A person who violates this section where the benefit, credit, goods, services, or other thing of value that is the subject of subsection (b) or (c) of this section has a value of \$500 or greater is guilty of a felony and on conviction is subject to imprisonment not exceeding ~~5~~ 20 years or a fine not exceeding ~~[\$5,000]~~ \$25,000 or both.

(2) A person who violates this section where the benefit, credit, goods, services, or other thing of value that is the subject of subsection (b) or (c) of this section has a value of less than \$500 is guilty of a misdemeanor and on conviction is subject to imprisonment not exceeding 18 months or a fine not exceeding ~~[\$5,000]~~ \$25,000 or both.

(3) A person who violates this section under circumstances that reasonably indicate that the person's intent was to manufacture, distribute, or dispense another individual's personal identifying information without that individual's consent is guilty of a felony and on conviction is subject to imprisonment not exceeding ~~5~~ 20 years or a fine not exceeding ~~[\$5,000]~~ \$25,000 or both.