

Department of Legislative Services, 90 State Circle, Annapolis, Maryland, of the receipt of funding. Section 1 of this Act shall take effect 5 days after the date of the written notice from the Administration.

SECTION 2.3. AND BE IT FURTHER ENACTED, That, subject to Section 2 of this Act, this Act shall take effect October 1, 2002.

May 16, 2002

The Honorable Thomas V. Mike Miller, Jr.
President of the Senate
State House
Annapolis MD 21401

Dear Mr. President:

In accordance with Article II, Section 17 of the Maryland Constitution, I have today vetoed Senate Bill 559 – Crimes – Fraud – Personal Identifying Information.

This bill expands the definition of personal identifying information related to the crime of identity fraud. It prohibits a person from possessing or aiding another person in possessing the personal identifying information of an individual. The bill makes it unlawful to possess personal identifying information that would be used to commit a crime if the circumstances reasonably indicate that the person's intent was criminal. Under current law, a person may not knowingly, willfully and with fraudulent intent, obtain or aid another person in obtaining the information of an individual without their consent for the purpose of using that information to obtain anything of value in the name of someone else. However, law enforcement officers often cannot charge an individual with a crime until the intent of their action is proven. The bill expands the definition of personal identifying information to include a "payment device number." A payment device number is any code, account number or other means of account access, other than a paper instrument, that can be used to obtain anything of value or initiate an unauthorized transfer of funds.

House Bill 358, which was passed by the General Assembly and signed by me, accomplishes the same purpose. Therefore, it is not necessary for me to sign Senate Bill 559.

Sincerely,
Parris N. Glendening
Governor

Senate Bill No. 559

AN ACT concerning

Crimes – Fraud – Personal Identifying Information

~~FOR the purpose of expanding the crime of identity fraud to include possession or aiding another in possessing the personal identifying information of an individual under certain circumstances; altering the penalties for identity fraud;~~