

ASSEMBLY BILL

No. 1949

Introduced by Assembly Member Hertzberg

February 15, 2000

An act to add and repeal Section 530.75 of the Penal Code, relating to identity theft.

LEGISLATIVE COUNSEL'S DIGEST

AB 1949, as introduced, Hertzberg. Identity theft: regional pilot projects.

Existing law provides that every person who willfully obtains personal identifying information about another person without that person's consent, and uses that information for any unlawful purpose, including to obtain or attempt to obtain credit, goods, services, or medical information in the name of that person, is guilty of a crime punishable by imprisonment in a county jail not to exceed one year, a fine not to exceed \$1,000, or both, or by imprisonment in the state prison, a fine not to exceed \$10,000, or both.

This bill would enact the Identity Theft Victim's Protection Act of 2000, which would, as a three-year pilot project, direct the Department of Justice to establish special Identity Theft Units in three counties as specified. The bill would provide that each pilot project receiving funds pursuant to these provisions shall be designed to (1) create a public awareness campaign of what identity theft is and ways to avoid becoming a victim, (2) act as a regional clearinghouse for law enforcement, the private sector, and for victims, provide

information to victims, law enforcement, and the media, (3) investigate and prosecute identity theft suspects, and (4) act as a liaison with other local, state, and federal agencies. The bill would require the department to submit a report with respect to the pilot projects to the Legislature before September 1, 2004, and would make these provisions inoperative on September 1, 2004, and repeal those provisions on January 1, 2005, unless those dates are deleted or extended by later enacted legislation.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. This act shall be known, and may be
2 cited as, the Identity Theft Victim’s Protection Act of
3 2000.

4 SEC. 2. Section 530.75 is added to the Penal Code, to
5 read:

6 530.75. (a) The Department of Justice shall establish
7 a three-year pilot project beginning March 1, 2001, in at
8 least three counties, one in the northern, one in the
9 southern, and one in the central part of this state, to
10 establish a special Identity Theft Unit in each of those
11 counties. The department shall provide technical
12 assistance as needed in establishing these programs, and
13 shall disburse grants and oversee funds used therein.

14 (b) Each pilot project receiving funds pursuant to this
15 section shall be designed to accomplish the following:

16 (1) Create a public awareness campaign of what
17 identity theft is and ways to avoid becoming a victim.

18 (2) Act as a regional clearinghouse for law
19 enforcement, the private sector, and for victims.

20 (3) Provide information to victims, law enforcement,
21 and the media.

22 (4) Investigate and prosecute identity theft suspects
23 and act as a liaison with other local, state, and federal
24 agencies.

25 (c) The Department of Justice shall evaluate the
26 effectiveness of these pilot projects in meeting the goals



1 defined in subdivision (b), and shall submit its findings
2 and recommendations with respect to the pilot projects
3 to the Legislature before September 1, 2004.

4 (d) This section shall become inoperative on
5 September 1, 2004, and, as of January 1, 2005, is repealed,
6 unless a later enacted statute that is enacted before
7 January 1, 2005, deletes or extends the dates on which it
8 becomes inoperative and is repealed.

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