

AMENDED IN SENATE AUGUST 8, 2000
AMENDED IN ASSEMBLY MAY 26, 2000
AMENDED IN ASSEMBLY MARCH 20, 2000

CALIFORNIA LEGISLATURE—1999–2000 REGULAR SESSION

ASSEMBLY BILL

No. 1949

Introduced by Assembly Member Hertzberg
(Coauthor: Assembly Member Shelley)

February 15, 2000

An act to add and repeal Section 530.75 of the Penal Code, relating to identity theft, *and making an appropriation therefor.*

LEGISLATIVE COUNSEL'S DIGEST

AB 1949, as amended, 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 Regional

Identity Theft Units in designated regions as ~~specified, and to disburse grants and to distribute funds of up to \$1,000,000 specified.~~

The bill would appropriate the sum of \$1,000,000 from the General Fund to the Department of Justice for purposes of the identity theft pilot project established pursuant to the provisions of this bill. The department would distribute funds and disburse grants annually for the creation of these units pursuant to prescribed requirements. The bill would provide that each unit 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, (3) provide information to victims, law enforcement, and the media, and (4) investigate and prosecute identity theft suspects, and act as a liaison with other local, state, and federal agencies. The bill would require the department to make a specified evaluation and 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~~ ^{2/3}. Appropriation: ~~no~~ yes. 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 Regional Identity Theft Unit pilot project
8 beginning March 1, 2001, ~~in up to~~ two regions, one in the
9 northern and one in the southern part of this state. The
10 Department of Justice shall define the boundaries of the
11 designated regions.



1 ~~(b) The Department of Justice shall disburse grants~~
2 ~~and distribute funds up to one million dollars (\$1,000,000)~~
3 ~~annually for the creation of these units. The department~~

4 *(b) The sum of one million dollars (\$1,000,000) is*
5 *hereby appropriated from the General Fund to the*
6 *Department of Justice for purposes of the identity theft*
7 *pilot project established pursuant to this act. The*
8 *department shall distribute funds and disburse grants for*
9 *creation of the Regional Identity Theft Units. The*
10 *department shall also provide technical assistance as*
11 *needed in establishing these units. The grants for the*
12 *creation and operation of each Regional Identity Theft*
13 *Unit shall be awarded on the basis of the following*
14 *requirements:*

15 (1) The lead agency is a countywide law enforcement
16 agency.

17 (2) Each unit is composed of, but not limited to,
18 investigators and support staff from a police department
19 or sheriff's department, a probation officer, a deputy
20 district or city attorney, a Department of Motor Vehicles
21 Investigator, a representative of the Department of
22 Justice, and a state parole officer.

23 (3) Each unit operates as a regional multijurisdictional
24 agency.

25 (4) Each unit is equipped to, and capable of, serving
26 the entire region in which it is located.

27 (c) Each unit receiving funds pursuant to this section
28 shall be designed to accomplish the following:

29 (1) Create a public awareness campaign of what
30 identity theft is, ways to avoid becoming a victim, and
31 what to do once a person discovers he or she is a victim.

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

34 (3) Provide information to victims, law enforcement,
35 and the media.

36 (4) Investigate and prosecute identity theft suspects
37 and act as a liaison with other local, state, and federal
38 agencies.

39 (d) The Department of Justice shall evaluate the
40 effectiveness of these pilot projects in meeting the goals



1 ~~defined in subdivision (e), and shall submit its findings~~
2 *defined in subdivision (c). The evaluation shall, among*
3 *other considerations, address all of the following*
4 *questions:*

5 *(1) Whether or not the pilot projects have reduced*
6 *identity theft.*

7 *(2) Whether or not the pilot projects have increased*
8 *the numbers and successful outcomes of identity theft*
9 *prosecutions.*

10 *(3) Whether or not the pilot projects should be funded*
11 *on an annual basis.*

12 *The department shall submit its findings and*
13 *recommendations to the Legislature before September 1,*
14 *2004.*

15 (e) This section shall become inoperative on
16 September 1, 2004, and, as of January 1, 2005, is repealed,
17 unless a later enacted statute that is enacted before
18 January 1, 2005, deletes or extends the dates on which it
19 becomes inoperative and is repealed.

