

1 SB16
2 131578-2
3 By Senator Bedford
4 RFD: Judiciary
5 First Read: 07-FEB-12
6 PFD: 06/28/2011

1 SB16

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4 ENROLLED, An Act,

5 To amend Section 13A-8-192, Code of Alabama 1975, to
6 make the crime of identity theft a Class B felony; to expand
7 the definition of identity theft to include obtaining the
8 identity of another for the purpose of gaining employment; and
9 in connection therewith would have as its purpose or effect
10 the requirement of a new or increased expenditure of local
11 funds within the meaning of Amendment 621 of the Constitution
12 of Alabama of 1901, now appearing as Section 111.05 of the
13 Official Recompilation of the Constitution of Alabama of 1901,
14 as amended.

15 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

16 Section 1. Section 13A-8-192, Code of Alabama 1975,
17 is amended to read as follows:

18 "§13A-8-192.

19 (a) A person commits the crime of identity theft if,
20 without the authorization, consent, or permission of the
21 victim, and with the intent to defraud for his or her own
22 benefit or the benefit of a third person, he or she does any
23 of the following:

24 "(1) Obtains, records, or accesses identifying
25 information that would assist in accessing financial

1 resources, obtaining identification documents, or obtaining
2 benefits of the victim.

3 "(2) Obtains goods or services through the use of
4 identifying information of the victim.

5 "(3) Obtains identification documents in the
6 victim's name.

7 "(4) Obtains employment through the use of
8 identifying information of the victim.

9 "(b) Identity theft is a Class B felony.

10 "(c) This section shall not apply when a person
11 obtains the identity of another person to misrepresent his or
12 her age for the sole purpose of obtaining alcoholic beverages,
13 tobacco, or another privilege denied to minors.

14 "(d) Any prosecution brought pursuant to this
15 article shall be commenced within seven years after the
16 commission of the offense."

17 Section 2. Although this bill would have as its
18 purpose or effect the requirement of a new or increased
19 expenditure of local funds, the bill is excluded from further
20 requirements and application under Amendment 621, now
21 appearing as Section 111.05 of the Official Recompilation of
22 the Constitution of Alabama of 1901, as amended, because the
23 bill defines a new crime or amends the definition of an
24 existing crime.

1 Section 3. This act shall become effective on the
2 first day of the third month following its passage and
3 approval by the Governor, or its otherwise becoming law.

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President and Presiding Officer of the Senate

Speaker of the House of Representatives

SB16

Senate 20-MAR-12

I hereby certify that the within Act originated in and passed the Senate.

Patrick Harris
Secretary

House of Representatives

Passed: 08-MAY-12

By: Senator Bedford