



Councilmember Sharon Ambrose 2

3

4

A BILL 5

_____ 6

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA 7

_____ 8

9

Councilmember Sharon Ambrose introduced the following bill, which was referred to the 10

Committee on_____ 11

To criminalize identity theft in the District of Columbia. 12

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this 13

act may be cited as the "Identity Theft Prevention Act of 2003". 14

Sec. 2. Definitions 15

For the purposes of this act, the term "personal identifying information" means the name, 16

address, telephone number, driver's license number, Social Security number, place of 17

employment, employee identification number, mother's maiden name, bank or other financial 18

institution account number, date of birth, personal identification number, or credit card number 19

of an individual. 20

Sec. 3. Prohibition of personal identity theft. 1

(a) A person shall not knowingly, willfully, and with fraudulent intent, obtain or aid 2
another person in obtaining personal identifying information of an individual, without the 3
consent of that individual, for the purpose of using that information or selling or transferring that 4
information to obtain any benefit, credit, goods, services, or other item of value in the name of 5
that individual. 6

(b) A person shall not knowingly and willfully assume the identity of another: 7

(1) With fraudulent intent to obtain any benefit, credit, goods, services, or other item of 8
value; 9

(2) With fraudulent intent to avoid the payment of a debt or other legal obligation; or 10

(3) To avoid prosecution for a crime. 11

(c) A person who violates this section shall be guilty of a felony and, on conviction shall be 12
subject to a fine not exceeding \$5,000, or imprisonment not exceeding 3 years or both. 13

(e) In addition to the penalty provided under subsection (c) of this section, a court may order 14
a person who pleads guilty or nolo contendere or is found guilty under this section to make 15
restitution to the victim for reasonable costs incurred, including reasonable attorney's fees: 16

(1) For clearing the victim's credit history or credit rating; and 17

(2) In connection with any civil or administrative proceeding, to satisfy a debt, lien, 18
judgment, or other obligation of the victim that arose as a result of the violation of this section. 19

(f) A sentence under this section may be imposed separate from and consecutive to or concurrent with a sentence for any offense based on the act or acts establishing the violation of this section.

Sec. 3. Fiscal Impact

The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 4. This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 60-day period of Congressional review as provided in section 602(c)(2) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(2)), and publication in the District of Columbia Register.