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House Engrossed Senate Bill

State of Arizona
Senate
Forty-seventh Legislature
First Regular Session
2005

SENATE BILL 1058

AN ACT

AMENDING SECTION 13-2008, ARIZONA REVISED STATUTES; RENUMBERING SECTION 13-2009, ARIZONA REVISED STATUTES, AS SECTION 13-2011; AMENDING TITLE 13, CHAPTER 20, ARIZONA REVISED STATUTES, BY ADDING A NEW SECTION 13-2009 AND SECTION 13-2010; RELATING TO IDENTITY THEFT.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 13-2008, Arizona Revised Statutes, is amended to
3 read:

4 13-2008. Taking identity of another person or entity:
5 classification

6 A. A person commits taking the identity of another person or entity if
7 the person knowingly takes, purchases, manufactures, records, POSSESSES OR
8 uses, ~~sells, transfers or transmits~~ any personal identifying information or
9 entity identifying information of another person or entity, including a real
10 or fictitious person or entity, without the consent of that other person or
11 entity, with the intent to obtain, ~~OR use, sell or transfer~~ the other
12 person's or entity's identity for any unlawful purpose or to cause loss to a
13 person or entity whether or not the person or entity actually suffers any
14 economic loss as a result of the offense.

15 B. On the request of a person or entity, a peace officer in any
16 jurisdiction in which an element of the offense is committed, a result of the
17 offense occurs or the person or entity whose identity is taken resides or is
18 located shall take a report. The peace officer may provide a copy of the
19 report to any other law enforcement agency that is located in a jurisdiction
20 in which a violation of this section occurred.

21 C. If a defendant is alleged to have committed multiple violations of
22 this section within the same county, the prosecutor may file a complaint
23 charging all of the violations and any related charges under other sections
24 that have not been previously filed in any precinct in which a violation is
25 alleged to have occurred. If a defendant is alleged to have committed
26 multiple violations of this section within the state, the prosecutor may file
27 a complaint charging all of the violations and any related charges under
28 other sections that have not been previously filed in any county in which a
29 violation is alleged to have occurred.

30 D. THIS SECTION DOES NOT APPLY TO A VIOLATION OF SECTION 4-241 BY A
31 PERSON WHO IS UNDER TWENTY-ONE YEARS OF AGE.

32 ~~D.~~ E. Taking the identity of another person OR ENTITY is a class 4
33 felony.

34 Sec. 2. Renumber

35 Section 13-2009, Arizona Revised Statutes, is renumbered as section
36 13-2011.

37 Sec. 3. Title 13, chapter 20, Arizona Revised Statutes, is amended by
38 adding a new section 13-2009 and section 13-2010, to read:

39 13-2009. Aggravated taking identity of another person or
40 entity; classification

41 A. A PERSON COMMITS AGGRAVATED TAKING THE IDENTITY OF ANOTHER PERSON
42 OR ENTITY IF THE PERSON KNOWINGLY TAKES, PURCHASES, MANUFACTURES, RECORDS,
43 POSSESSES OR USES ANY PERSONAL IDENTIFYING INFORMATION OR ENTITY IDENTIFYING
44 INFORMATION OF EITHER:

