

# House Study Bill 28

HOUSE FILE \_\_\_\_\_  
BY (PROPOSED COMMITTEE ON  
JUDICIARY BILL BY  
CHAIRPERSON MADDOX)

Passed House, Date \_\_\_\_\_ Passed Senate, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

## A BILL FOR

1 An Act relating to the criminal offense of identity theft by  
2 making changes in the elements of the offense.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:  
4 TLSB 1547HC 80  
5 jm/sh/8

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1 1 Section 1. Section 715A.8, subsection 2, Code 2003, is  
1 2 amended to read as follows:  
1 3 2. A person commits the offense of identity theft if the  
1 4 person ~~with the intent to obtain a benefit fraudulently~~  
~~1 5 obtains identification information of another person and uses~~  
1 6 or attempts to use that identification information of another  
~~1 7 person~~ to obtain credit, property, or services without the  
1 8 authorization of that other person.  
1 9 EXPLANATION  
1 10 This bill relates to the criminal offense of identity  
1 11 theft.  
1 12 The bill changes the crime of identity theft by removing  
1 13 from the elements of the crime the "intent to obtain a benefit  
1 14 fraudulently" requirement. Under the bill a person commits  
1 15 identity theft when the person uses or attempts to use  
1 16 identification information of another person to obtain credit,  
1 17 property, or services without authorization from that other  
1 18 person.  
1 19 Code section 715A.8(1) defines "identification information"  
1 20 to mean the name, address, date of birth, telephone number,  
1 21 driver's license number, nonoperator's identification number,  
1 22 social security number, place of employment, employee  
1 23 identification number, parent's legal surname prior to  
1 24 marriage, demand deposit account number, savings or checking  
1 25 account number, or credit card number of a person.  
1 26 Identity theft is a class "D" felony if the value of the  
1 27 credit, property, or services exceeds \$1,000, and an  
1 28 aggravated misdemeanor if the value does not exceed \$1,000.  
1 29 LSB 1547HC 80  
1 30 jm/sh/8  
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