AN ACT

Amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for the offense of identity theft.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1. The definition of "document" in section 4120(f) of Title 18 of the Pennsylvania Consolidated Statutes is amended and the section is amended by adding definitions to read:

§ 4120. Identity theft.

* * *

(f) Definitions.--As used in this section, the following words and phrases shall have the meanings given to them in this subsection:

"Document." Any writing, including, but not limited to, birth certificate, Social Security card, driver's license, nondriver government-issued identification card, baptismal certificate, access device card, employee identification card,
school identification card or other identifying information recorded by any other method, including, but not limited to, information stored on any computer, computer disc, computer printout, computer system, radio frequency identification system, or part thereof, or by any other mechanical or electronic means.

"Identify." To establish the personal information of an individual or other identifying characteristic of an individual, including information linking an individual to previous transactions or activities.

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"Radio frequency identification" or "RFID." A technology that incorporates the use of electromagnetic or electrostatic coupling in the radio frequency portion of the electromagnetic spectrum that can be used to identify any object or person. This includes, but is not limited to, any device including a reader and tag that passively or actively uses radio frequency identification technology that does not require physical contact between the tag and reader in order to transmit data.

"Radio frequency identification reader" or "reader." A device capable of reading, activating, triggering or receiving information or data from a radio frequency identification tag.

"Radio frequency identification system" or "RFID system." A combination of devices, including, but not limited to, readers, tags, transmitters, processors, antennae, computers, visual displays and automated checkout systems that enable the owner or user of the devices to track, monitor, record, identify, process, charge for, surveil, read, encode, decode or disable a radio frequency identification tag.

"Radio frequency identification tag" or "tag." An identifier
comprised of tags, product codes, chips, circuits or other
triggering devices which contain identification information,
data signals or other information related to the product,
manufacturer, contents, serial number, date, purchaser, seller,
destination, origin, package, carton, material, object or person
to which they are attached, embedded or associated, and which
information, including personal information or data, is capable
of being wirelessly transmitted to or read by a radio frequency
identification reader or RFID system.

Section 2. This act shall take effect in 60 days.