

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2082 Session of
2001

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MANDERINO, WATERS, FLICK, JAMES, L. I. COHEN, CALTAGIRONE,
WATSON, PIPPY AND HANNA, OCTOBER 24, 2001

AS RE-REPORTED FROM COMMITTEE ON APPROPRIATIONS, HOUSE OF
REPRESENTATIVES, AS AMENDED, JUNE 10, 2002

AN ACT

1 Requiring the Office of Attorney General to establish a regional
2 identity theft unit pilot project and an identity theft
3 victim database; ~~and making an appropriation.~~ <—

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

6 Section 1. Short title.

7 This act shall be known and may be cited as the Regional
8 Identity Theft Unit Pilot Project Act.

9 Section 2. Definitions.

10 The following words and phrases when used in this act shall
11 have the meanings given to them in this section unless the
12 context clearly indicates otherwise:

13 "Unit." A regional identity theft unit.

14 Section 3. Establishment of regional identity theft unit pilot

1 project.

2 (a) Office of Attorney General to establish pilot project.--

3 The Office of Attorney General shall establish a three-year
4 regional identity theft unit pilot project in either one or two
5 regions of this Commonwealth. The Office of Attorney General
6 shall define the boundaries of the designated region or regions.

7 (b) Distribution of funds.--Funds appropriated ~~under this~~ <—

8 ~~act~~ FOR THE REGIONAL IDENTITY THEFT UNIT PILOT PROJECT shall be <—

9 distributed by the Office of Attorney General to lead agencies
10 as grants for the creation and operation of a regional identity
11 theft unit. The Office of Attorney General shall provide
12 technical assistance as needed in establishing a unit. Grants
13 for the creation and operation of a unit shall be awarded on the
14 basis of the following requirements:

15 (1) The lead agency is a Statewide or countywide law
16 enforcement agency.

17 (2) Each unit is composed of, but not limited to,
18 investigators and support staff from a police department or
19 sheriff's department, a probation officer, a deputy district
20 or city attorney, a Department of Transportation
21 investigator, a representative of the Office of Attorney
22 General and a State parole officer.

23 (3) Each unit operates as a regional multijurisdictional
24 agency.

25 (4) Each unit is equipped to and capable of serving the
26 entire region in which it is located.

27 Section 4. Regional identify theft unit functions.

28 Each unit receiving funds under this act shall be designed
29 and operated to accomplish the following:

30 (1) Create a public awareness campaign of what identity

1 theft is, ways to avoid becoming a victim and what to do once
2 a person discovers the person is a victim.

3 (2) Act as a regional clearinghouse for law enforcement,
4 the private sector and victims.

5 (3) Provide information to victims, law enforcement and
6 the media.

7 (4) Investigate and prosecute identity theft suspects
8 and act as a liaison with other Federal, State and local
9 agencies.

10 Section 5. Evaluation.

11 The Office of Attorney General shall evaluate the
12 effectiveness of the regional identity theft unit pilot project
13 in meeting the goals listed under section 4. The evaluation
14 shall, among other considerations, address all of the following
15 questions:

16 (1) Whether the pilot project has reduced identity
17 theft.

18 (2) Whether the pilot project has increased the numbers
19 and successful outcomes of identity theft prosecutions.

20 (3) Whether the pilot project should be funded on an
21 annual basis.

22 (4) The expected costs to establish regional identity
23 theft units on a Statewide basis.

24 The Office of Attorney General shall submit its findings and
25 recommendations to the General Assembly before November 30,
26 2004.

27 Section 6. Identity theft victim database.

28 (a) Office of Attorney General to establish and maintain
29 database.--The Office of Attorney General shall establish and
30 maintain a database of individuals who have been victims of

1 identity theft. Victims may, at their option, be fingerprinted
2 and have their fingerprints entered into the database. The
3 Office of Attorney General shall provide a victim of identity
4 theft or the victim's authorized representative access to the
5 database in order to establish that the individual has been a
6 victim of identity theft. Access to the database shall be
7 limited to criminal justice agencies, victims of identity theft
8 and individuals and agencies authorized by the victims.

9 (b) Inclusion in database.--In order for a victim of
10 identity theft to be included in the database established under
11 subsection (a), the victim shall submit to the Office of
12 Attorney General a court order obtained pursuant to any
13 provision of law and any other information prescribed by the
14 Office of Attorney General.

15 (c) Verification of victim's identity.--Upon receiving
16 information under subsection (b), the Office of Attorney General
17 shall verify the identity of the victim through a driver's
18 license or other identification record maintained by the
19 Department of Transportation.

20 (d) Toll-free telephone number.--The ~~office~~ OFFICE of
21 Attorney General shall establish and maintain a toll-free
22 telephone number to provide access to information under
23 subsection (a).

24 Section 7. Administration.

25 Up to 15% of the amount appropriated ~~under section 8~~ FOR THE
26 REGIONAL IDENTITY THEFT UNIT PILOT PROJECT may be retained by
27 the Office of Attorney General for administering the provisions
28 of this act.

29 ~~Section 8. Appropriation.~~

30 ~~The sum of \$3,000,000 is hereby appropriated to the Office of~~

1 ~~Attorney General for the fiscal year July 1, 2001, to June 30,~~
2 ~~2002, for purposes of this act. This appropriation shall be a~~
3 ~~continuing appropriation and shall lapse on June 30, 2004.~~

4 Section 9 8. Effective date.

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5 This act shall take effect in 60 days.