

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 462 Session of 2009

INTRODUCED BY BROWNE, ORIE, BOSCOLA, STACK, BAKER, GORDNER,
FONTANA, ALLOWAY, COSTA, RAFFERTY, WOZNIAK, GREENLEAF,
MELLOW, KASUNIC, STOUT, BRUBAKER, LOGAN, O'PAKE, PILEGGI,
EARLL, CORMAN, FERLO AND WONDERLING, MARCH 2, 2009

REFERRED TO JUDICIARY, MARCH 2, 2009

AN ACT

1 Establishing the Identity Theft Prevention and Restoration
2 Program.

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

5 Section 1. Short title.

6 This act shall be known and may be cited as the Identity
7 Theft Prevention and Restoration Act.

8 Section 2. Establishment.

9 There is established the Identity Theft Prevention and
10 Restoration Program within the Office of Attorney General. The
11 program shall include the following:

12 (1) The development and distribution of information on
13 the prevention of identity theft to the public.

14 (2) The development and distribution of information on
15 the restoration of personal information, including credit
16 card numbers, bank accounts, insurance information and Social
17 Security numbers.

1 (3) The development of an identity restoration program.

2 Section 3. Identity restoration program.

3 (a) Components.--The identity restoration program
4 established under section 2(3) shall include:

5 (1) Step-by-step instructions on how to alert creditors,
6 financial institutions, insurance companies, government
7 agencies and other entities of identity theft.

8 (2) The issuance of identity theft identification cards
9 to enable an individual to demonstrate that the individual
10 has been the victim of identity theft.

11 (3) Access to an Internet website to transmit the
12 application and police report to the Office of Attorney
13 General.

14 (4) The provision of Internet websites and toll-free
15 telephone numbers of credit reporting agencies, services to
16 remove a name from mailing lists and other appropriate
17 entities.

18 (b) Issuance.--The following shall apply to the issuance of
19 an identity theft identification card under subsection (a)(2):

20 (1) To be eligible for an identity theft identification
21 card, an individual shall do all of the following:

22 (i) Report the crime to law enforcement.

23 (ii) File an application for an identity theft
24 identification card and a police report with the Office
25 of Attorney General.

26 (2) An application under paragraph (1)(ii) shall include
27 all of the following:

28 (i) The victim's name, address, telephone numbers
29 and driver's license or State ID card number.

30 (ii) The reporting law enforcement officer's name,

1 agency name, telephone number and date of report.

2 (iii) The victim's signature under oath affirming
3 the accuracy of the information.

4 (iv) The victim's fingerprint and photograph.

5 (3) The Office of Attorney General shall do all of the
6 following:

7 (i) Verify the information in the application and
8 police report.

9 (ii) Issue an identification card with unique
10 identification number for the individual.

11 (iii) Provide security measures to ensure the
12 reliability of the identity restoration program.

13 (iv) Develop a website to transmit applications and
14 police reports directly to the Office of Attorney
15 General.

16 Section 4. Implementation.

17 The Office of Attorney General shall develop the application,
18 websites and other components of the Identity Theft Prevention
19 and Restoration Program within six months of the effective date
20 of this section.

21 Section 20. Effective date.

22 This act shall take effect in 60 days.