

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 156 Session of  
2007

INTRODUCED BY BAKER, ARGALL, CAUSER, PICKETT, BARRAR,  
BENNINGTON, BEYER, BOYD, CALTAGIRONE, CAPPELLI, CASORIO,  
CLYMER, DENLINGER, ELLIS, FABRIZIO, FAIRCHILD, GEIST, GEORGE,  
GILLESPIE, GOODMAN, GRELL, GRUCELA, HALUSKA, HARHAI, HARPER,  
HESS, HUTCHINSON, JAMES, JOSEPHS, KAUFFMAN, M. KELLER,  
KILLION, MAJOR, MANN, MCGEEHAN, MCILHATTAN, MELIO, MURT,  
NAILOR, O'NEILL, PAYNE, PERRY, PHILLIPS, PYLE, RAMALEY, RAPP,  
READSHAW, REICHLEY, ROHRER, ROSS, RUBLEY, SAINATO, SAMUELSON,  
SCAVELLO, SIPTROTH, SONNEY, STERN, R. STEVENSON, SWANGER,  
TRUE, WATSON, YOUNGBLOOD AND YUDICHAK, JANUARY 31, 2007

REFERRED TO COMMITTEE ON JUDICIARY, JANUARY 31, 2007

AN ACT

1 Amending Title 18 (Crimes and Offenses) of the Pennsylvania  
2 Consolidated Statutes, providing for restitution for identity  
3 theft; and making a related repeal.

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

6 Section 1. Title 18 of the Pennsylvania Consolidated  
7 Statutes is amended by adding a section to read:

8 § 1107.1. Restitution for identity theft.

9 (a) General rule.--The court shall, in addition to any other  
10 restitution sentence or order authorized by law, sentence a  
11 person convicted of a violation of section 4106 (relating to  
12 access device fraud) or 4120 (relating to identity theft) to  
13 make restitution for all reasonable expenses incurred by the  
14 victim or on the victim's behalf:

- 1           (1) to investigate theft of the victim's identity;  
2           (2) to bring or defend civil or criminal actions related  
3           to theft of the victim's identity; or  
4           (3) to take other efforts to correct the victim's credit  
5           record or negative credit reports related to theft of the  
6           victim's identity.

7           (b) Types of expenses.--The types of expenses recoverable  
8           under this section include, but are not limited to:

- 9           (1) fees for professional services by attorneys or  
10           accountants;  
11           (2) fees and costs imposed by credit bureaus, associated  
12           with efforts to correct the victim's credit record, incurred  
13           in private investigations or associated with contesting  
14           unwarranted debt collections; and  
15           (3) court costs and filing fees.

16           Section 2. Repeals are as follows:

17           (1) The General Assembly declares that the repeal under  
18           paragraph (2) is necessary to effectuate the addition of 18  
19           Pa.C.S. § 1107.1.

20           (2) The provisions of 42 Pa.C.S. § 9720.1 are repealed.

21           Section 3. This act shall take effect in 60 days.