

April 1, 1999

H 814. FINANCIAL IDENTITY FRAUD. TO CREATE THE CRIMINAL OFFENSE OF FINANCIAL IDENTITY FRAUD. Adds new Article 19C to GS Ch. 14 to make "financial identity fraud" a criminal offense punishable as a Class H felony. Makes it unlawful for a person, without authorization of another, and with intent unlawfully to appropriate financial resources of that other person to his or her own use or the use of a third party, to do the following: (1) obtain or record identifying information that would assist in accessing financial resources of the other person, or (2) access or attempt to access the financial resources of the other person through the use of identifying information. Identifying information includes, but is not limited to, social security numbers, drivers license numbers, checking account numbers, savings account numbers, credit card numbers, debit card numbers, personal identification numbers, electronic identification numbers, digital signatures, and any other numbers or information that can be used to access a person's financial resources. Exempts (1) the lawful obtaining of credit information in the course of bona fide consumer or commercial transactions; (2) the lawful, good faith exercise of a security interest or a right to offset by a creditor or financial institution; and (3) the lawful, good faith compliance with any warrant, court order, levy, garnishment, attachment, or other judicial or administrative order, decree, or directive. Effective Dec. 1, 1999; applies to offenses committed on or after that date.

Intro. by Hensley.

Ref. to Judiciary II

GS 14