

INTRODUCED BY SENIOR ASSEMBLY MEMBER KAMMERER

LEGISLATIVE COUNSEL'S DIGEST

AP 13: IDENTITY THEFT.

UNDER EXISTING LAW, EVERY PERSON WHO WILLFULLY OBTAINS PERSONAL IDENTIFYING INFORMATION OF ANOTHER PERSON AND USES THAT INFORMATION FOR ANY UNLAWFUL PURPOSE IS GUILTY OF A CRIME, PUNISHABLE BY A FINE, BY IMPRISONMENT IN A COUNTY JAIL NOT TO EXCEED ONE YEAR, OR BY BOTH THAT FINE AND IMPRISONMENT, OR BY IMPRISONMENT IN THE STATE PRISON. UNDER EXISTING LAW, EVERY PERSON WHO, WITH INTENT TO DEFRAUD, ACQUIRES OR RETAINS POSSESSION OF THE PERSONAL IDENTIFYING INFORMATION OF 10 OR MORE PEOPLE IS GUILTY OF A CRIME, PUNISHABLE BY A FINE, BY IMPRISONMENT IN A COUNTY JAIL NOT TO EXCEED ONE YEAR, OR BY BOTH THAT FINE AND IMPRISONMENT, OR BY IMPRISONMENT IN THE STATE PRISON.

THIS MEASURE WOULD MEMORIALIZE THE LEGISLATURE AND THE GOVERNOR TO ENACT LEGISLATION THAT WOULD IMPOSE A 2-YEAR PUNISHMENT

ENHANCEMENT FOR A FELONY CONVICTION OF THESE PROVISIONS WHEN THE CRIME IS AGAINST A VICTIM WHO IS 65 YEARS OF AGE OR OLDER.

VOTE: MAJORITY.

AP 13: RELATING TO IDENTITY THEFT

WHEREAS, VICTIMS WHO ARE 65 YEARS OF AGE AND OLDER ARE MORE VULNERABLE AND SUSCEPTIBLE TO IDENTITY THEFT DUE TO AGING AND LACK OF KNOWLEDGE OF THE NEWER ELECTRONIC TECHNOLOGY OF BANKING AND BUSINESS; AND

WHEREAS, OLDER VICTIMS TEND TO BE MORE TRUSTING AND MANY HAVE NO ONE TO HELP PROTECT THEM; NOW, THEREFORE, BE IT

RESOLVED, BY THE SENIOR ASSEMBLY AND THE SENIOR SENATE, JOINTLY, THAT THE SENIOR LEGISLATURE OF THE STATE OF CALIFORNIA AT ITS 2014 REGULAR SESSION, A MAJORITY OF THE MEMBERS VOTING THEREFOR, HEREBY PROPOSES THAT A TWO-YEAR PUNISHMENT ENHANCEMENT BE IMPOSED FOR A FELONY CONVICTION OF SECTION 530.5 OF THE PENAL CODE WHEN THE CRIME IS AGAINST A VICTIM WHO IS 65 YEARS OF AGE OR OLDER; AND BE IT FURTHER

RESOLVED, THAT THE SENIOR LEGISLATURE OF THE STATE OF CALIFORNIA RESPECTFULLY MEMORIALIZES THE LEGISLATURE AND THE GOVERNOR OF THE

STATE OF CALIFORNIA TO ENACT APPROPRIATE LEGISLATION THAT WOULD ADDRESS THE CONCERNS SET FORTH IN THIS MEASURE; AND BE IT FURTHER

RESOLVED, THAT A COPY OF THIS MEASURE BE TRANSMITTED TO THE SPEAKER OF THE ASSEMBLY, THE PRESIDENT PRO TEMPORE OF THE SENATE, AND THE GOVERNOR OF THE STATE OF CALIFORNIA.