

By: Representatives Lott, Cummings, Moore,
Moss, Staples

To: Judiciary B

HOUSE BILL NO. 1080

1 AN ACT TO AMEND SECTION 97-19-85, MISSISSIPPI CODE OF 1972,
2 TO MAKE UNLAWFUL THE FALSE REPRESENTATION OF IDENTITY, OR STATUS
3 AS A UNITED STATES CITIZEN OR AS A PERSON WHO IS ALLOWED TO RESIDE
4 IN THE UNITED STATES UNDER FEDERAL IMMIGRATION LAWS, FOR THE
5 PURPOSE OF OBTAINING A JOB OR OTHER EMPLOYMENT; AND FOR RELATED
6 PURPOSES.

7 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

8 **SECTION 1.** Section 97-19-85, Mississippi Code of 1972, is
9 amended as follows:

10 97-19-85. (1) (a) Any person who shall make or cause to be
11 made any false statement or representation as to his or another
12 person's identity, social security account number, credit card
13 number, debit card number or other identifying information for the
14 purpose of fraudulently obtaining or with the intent to obtain
15 goods, services or any thing of value, shall be guilty of a felony
16 and punished as prescribed in paragraph (c) of this subsection.

17 (b) Any person who shall make or cause to be made any
18 false statement or representation as to his identity, status as a
19 United States citizen, legal status to reside in the United States
20 under federal immigration laws, social security account number, or
21 any other identifying document or information for the purpose of
22 fraudulently obtaining or with the intent to obtain a job or any
23 position or form of employment, shall be guilty of a felony and
24 punished as prescribed in paragraph (c) of this subsection.

25 (c) Upon conviction of a violation of this subsection
26 for a first offense, the defendant shall be fined not more than
27 Five Thousand Dollars (\$5,000.00) or imprisoned for a term not to
28 exceed five (5) years, or both. For a second or subsequent
29 offense such person, upon conviction, shall be fined not more than

30 Ten Thousand Dollars (\$10,000.00) or imprisoned for a term not to
31 exceed ten (10) years, or both. In addition to the fines and
32 imprisonment provided in this section, a person convicted under
33 paragraph (a) of this subsection shall be ordered to pay
34 restitution as provided in Section 99-37-1 et seq.

35 (2) A person is guilty of fraud under subsection (1) who:

36 (a) Shall furnish false information willfully,
37 knowingly and with intent to deceive anyone as to his true
38 identity or the true identity of another person; or

39 (b) Willfully, knowingly, and with intent to deceive,
40 uses a social security account number to establish and maintain
41 business or other records or to obtain a job or other position or
42 form of employment; or

43 (c) With intent to deceive, falsely represents a number
44 to be the social security account number assigned to him or
45 another person, when in fact the number is not the social security
46 account number assigned to him or such other person; or

47 (d) Knowingly alters a social security card, buys or
48 sells a social security card or counterfeit or altered social
49 security card, counterfeits a social security card, or possesses a
50 social security card or counterfeit social security card with
51 intent to sell or alter it.

52 **SECTION 2.** This act shall take effect and be in force from
53 and after July 1, 2006.