

By: Representative Moore

To: Judiciary B

HOUSE BILL NO. 298

1 AN ACT TO AMEND SECTION 97-19-85, MISSISSIPPI CODE OF 1972,
2 TO REVISE PENALTIES FOR THE FRAUDULENT USE OF THE IDENTITY OF
3 ANOTHER; AND FOR RELATED PURPOSES.

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

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

7 97-19-85. (1) Any person who shall make or cause to be made
8 any false statement or representation as to his or another
9 person's or entity's identity, social security account number,
10 credit card number, debit card number or other identifying
11 information for the purpose of fraudulently obtaining or with the
12 intent to obtain goods, services or any thing of value, shall be
13 guilty of a felony and upon conviction thereof for a first offense
14 shall be fined not more than Ten Thousand Dollars (\$10,000.00) or
15 imprisoned for a term not to exceed ten (10) years, or both. For
16 a second or subsequent offense such person, upon conviction, shall
17 be fined not more than Twenty Thousand Dollars (\$20,000.00) or
18 imprisoned for a term not to exceed twenty (20) years, or both.
19 In addition to the fines and imprisonment provided in this
20 section, a person convicted under this section shall be ordered to
21 pay restitution as provided in Section 99-37-1 et seq.

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

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



26 (b) Willfully, knowingly, and with intent to deceive,
27 uses a social security account number to establish and maintain
28 business or other records; or

29 (c) With intent to deceive, falsely represents a number
30 to be the social security account number assigned to him or
31 another person, when in fact the number is not the social security
32 account number assigned to him or such other person; or

33 (d) With intent to deceive, falsely represents to be a
34 representative of an entity in order to open banking accounts,
35 obtain credit cards, or other services and supplies in the
36 entity's name; or

37 (e) Knowingly alters a social security card, buys or
38 sells a social security card or counterfeit or altered social
39 security card, counterfeits a social security card, or possesses a
40 social security card or counterfeit social security card with
41 intent to sell or alter it.

42 **SECTION 2.** This act shall take effect and be in force from
43 and after July 1, 2011.

