

By: Representative Moore

To: Judiciary B

HOUSE BILL NO. 90

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  
15 (\$10,000.00) or imprisoned for a term not to exceed \* \* \* ten (10)  
16 years, or both. For a second or subsequent offense such person,  
17 upon conviction, shall be fined not more than \* \* \* Twenty  
18 Thousand Dollars (\$20,000.00) or imprisoned for a term not to



19 exceed \* \* \* twenty (20) years, or both. In addition to the fines  
20 and imprisonment provided in this section, a person convicted  
21 under this section shall be ordered to pay restitution as provided  
22 in Section 99-37-1 et seq.

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

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

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

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

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

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



43           **SECTION 2.** This act shall take effect and be in force from  
44 and after July 1, 2014.

