

Legislative Analysis



IDENTITY THEFT: DIGITAL OR ELECTRONIC RECORDING OF PERSONAL ID INFORMATION

Mitchell Bean, Director
Phone: (517) 373-8080
<http://www.house.mi.gov/hfa>

House Bill 6177

Sponsor: Rep. Sal Rocca

Committee: Criminal Justice

Complete to 9-14-04

A SUMMARY OF HOUSE BILL 6177 AS INTRODUCED 9-9-04

The bill, which is part of a multi-bill package addressing identity theft, would add a new section to the Michigan Penal Code to prohibit a person from photographing, digitally capturing or recording, or electronically transmitting personal identifying information gleaned from such things as credit or debit cards or ATM cards without the consent of the individual. A violation would be a misdemeanor punishable by imprisonment for up to one year, a fine of not more than \$1,000, or both.

The bill would not prohibit the capture or transmission of personal identifying information in the ordinary and lawful course of business.

“Financial transaction device” is defined in Section 157m of the code and includes an electronic funds transfer card; credit card; debit card; point-of-sale card; and various cards, plates, codes, account numbers, personal identification numbers, driver’s license numbers, etc. used to obtain money, credit, goods, services, or providing access to a deposit account. “Personal identifying information” is defined in House Bill 6168 and Senate Bill 792, which would create the Identity Theft Protection Act.

The bill would take effect March 1, 2005.

Legislative Analyst: Susan Stutzky

■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.