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BILL ANALYSIS

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Senate Bill 803 (as introduced 10-28-03)
Sponsor: Senator Alan L. Cropsey
Committee: Judiciary

Date Completed: 11-4-03

CONTENT

The bill would amend the Code of Criminal Procedure to extend the period of limitations for identity theft when a previously unidentified person who provided evidence was identified. ("Identity theft" would mean that term as defined in the proposed "Identity Theft Protection Act", which Senate Bill 792 would create.)

Under the Code, an indictment must be found and filed within six years after an offense is committed (except as provided for particular offenses).

The bill specifies that an indictment for identity theft or attempted identity theft could be found and filed within six years after the offense was committed. If evidence of an identity theft violation were determined to be from an unidentified individual, however, an indictment could be found and filed at any time after the offense was committed, but not more than six years after the individual was identified. "Identified" would mean that the individual's legal name was known.

(Under Senate Bill 792, "identity theft" would mean any unauthorized use of another person's personal identifying information to obtain credit, goods, services, money, property, or employment to commit any illegal act. "Personal identifying information" would mean a person's name, address, telephone number, driver's license number, Social Security number, place of employment, employee identification number, mother's maiden name, demand deposit account number, savings account number, credit card number, or medical records or information.)

MCL 767.24

Legislative Analyst: Patrick Affholter

FISCAL IMPACT

The bill would have an indeterminate fiscal impact on State and local government.

By extending the period to file an indictment to six years after the identification of an individual from whom evidence was obtained, the bill could increase local court costs and both local and State corrections costs to the extent that it would allow additional identity theft cases to be prosecuted and offenders to be convicted.

Fiscal Analyst: Bethany Wicksall

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.