

Department of Planning and Budget 2004 Fiscal Impact Statement

1. Bill Number HB 872

House of Origin	<input type="checkbox"/> Introduced	<input type="checkbox"/> Substitute	<input type="checkbox"/> Engrossed
Second House	<input type="checkbox"/> In Committee	<input type="checkbox"/> Substitute	<input checked="" type="checkbox"/> Enrolled

2. Patron K. Byron

3. Committee Passed Both Houses

4. Title Identity theft; identification and issuance of an Identify Theft Passport

5. Summary/Purpose: Enrolled HB 872 authorizes the Attorney General, with the concurrence of the attorney for the Commonwealth, to assist in the prosecution of the crimes of identity theft (§ 18.2-186.3) and the use of a person's identity with the intent to intimidate, coerce, or harass (§ 18.2-186.4). The bill allows for a conviction under the identity theft statutes when the defendant uses a false or fictitious name. The bill requires the Department of Motor Vehicles, upon notification from the Attorney General that an Identity Theft Passport has been issued to a driver, to note the same on the driver's abstract.

The bill also directs child day programs that reproduce or retain documents of a child's proof of identity that are required upon the child's enrollment into the program to destroy them upon the conclusion of the requisite period of retention. The procedures for the disposal, physical destruction or other disposition of the proof of identity containing social security numbers shall include all reasonable steps to destroy such documents by (i) shredding, (ii) erasing, or (iii) otherwise modifying the social security numbers in those records to make them unreadable or indecipherable by any means. The Department of Social Services will issue regulations to cover this provision.

6. No Fiscal Impact, see Item 8

7. Budget amendment necessary: No

8. Fiscal implications: Staffs at the three affected agencies, i.e., the Office of the Attorney General, and the Departments of Social Services and Motor Vehicles, were contacted to learn if HB 872 had a fiscal impact on their agencies. The Department of Social Services reported there is no fiscal impact. The remaining two agencies report the fiscal impacts are not significant and the new provisions can be implemented with existing resources.

9. Specific agency or political subdivisions affected:

Department of Motor Vehicles, Department of Social Services, Office of the Attorney General

10. Technical amendment necessary: No

11. Other comments: None

Date: 3/24/04 / gdj

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cc: Secretary of Health and Human Resources
Secretary of Transportation
Office of the Attorney General