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# WEST VIRGINIA LEGISLATURE

SECOND REGULAR SESSION, 1998



# ENROLLED

## House Bill No. 4234

(By Delegates L. White, Staton, Hunt, Trump,  
Beane, Smirl and Manuoi)



Passed March 14, 1998

In Effect Ninety Days from Passage

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## ENROLLED

COMMITTEE SUBSTITUTE

FOR

# H. B. 4234

(BY DELEGATES L. WHITE, STATON, HUNT, TRUMP,  
BEANE, SMIRL AND MANUEL.)

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[Passed March 14, 1998; in effect ninety days from passage.]

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AN ACT to amend article three, chapter sixty-one of the code of West Virginia, one thousand nine hundred thirty-one, as amended, by adding thereto a new section, designated section fifty-three, relating to creating a felony offense for taking another person's name for the purpose of conducting financial or credit transactions in that person's name; and excepting certain persons therefrom.

*Be it enacted by the Legislature of West Virginia:*

That article three, chapter sixty-one of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended by adding thereto a new section, designated section fifty-three, to read as follows:

### ARTICLE 3. CRIMES AGAINST PROPERTY.


#### §61-3-53. Taking identity of another person; penalty.

- 1 Any person who knowingly takes the name, birth date,
- 2 social security number or other identifying information of
- 3 another person, without the consent of that other person,
- 4 with the intent to fraudulently represent that he or she is

Enr. Com. Sub. for H. B. 4234] 2

5 the other person for the purpose of making financial or  
6 credit transactions in the other person's name, is guilty of  
7 a felony, and upon conviction, shall be punished by  
8 confinement in the penitentiary not more than five years,  
9 or fined not more than one thousand dollars, or both:  
10 *Provided*, That the provisions of this section do not apply  
11 to any person who obtains another person's drivers license  
12 or other form of identification for the sole purpose of  
13 misrepresenting his or her age.

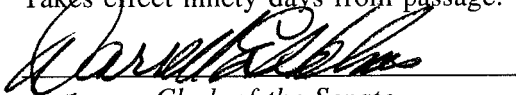
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

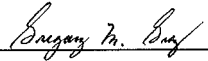
  
Chairman Senate Committee

  
Chairman House Committee

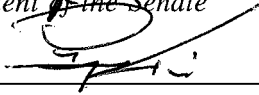
Originating in the House.

Takes effect ninety days from passage.

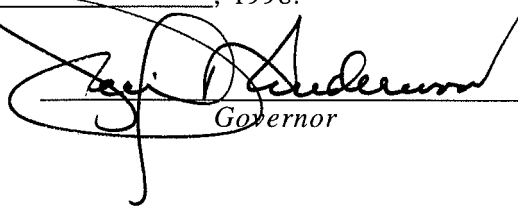
  
Clerk of the Senate

  
Clerk of the House of Delegates

  
President of the Senate

  
Speaker of the House of Delegates

The within approved this the 6<sup>th</sup>  
day of April, 1998.

  
Governor

PRESENTED TO THE

GOVERNOR

Date 3/26/48

Time 10:40am