

# SENATE BILL REPORT

## HB 2456

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As Reported By Senate Committee On:  
Judiciary, February 25, 2000

**Title:** An act relating to identity crimes.

**Brief Description:** Increasing seriousness of identity crimes.

**Sponsors:** Representatives Cairnes, Ballasiotes, Koster, B. Chandler, Talcott, Radcliff, Pflug, Esser and Benson.

**Brief History:**

**Committee Activity:** Judiciary: 2/24/2000, 2/25/2000 [DPA].

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### SENATE COMMITTEE ON JUDICIARY

**Majority Report:** Do pass as amended.

Signed by Senators Heavey, Chair; Kline, Vice Chair; Costa, Goings, Hargrove, Johnson, Long, McCaslin, Roach and Zarelli.

**Staff:** Aldo Melchiori (786-7439)

**Background:** In 1999, the Legislature passed legislation creating a new crime of "identity theft" and established it as an unranked class C felony. It is committed when an offender uses or transfers another person's means of identification with either an intent to harm the person or for commission of any felony.

Criminal impersonation in the first degree is a gross misdemeanor. It is committed when an offender, with intent to defraud or unlawful purpose: (1) assumes a false identity or (2) pretends to be a representative of some person or a public servant. There is some confusion regarding whether using another person's identification is the same act as assuming a false identity.

Criminal impersonation in the second degree is a misdemeanor. It is committed when an offender claims or creates the impression that he or she is a law enforcement officer and does some act in an official capacity.

**Summary of Amended Bill:** First degree criminal impersonation applies only to an offender who: (1) assumes a fictitious identity, not the identity of another person, or (2) pretends to be a public servant or representative of another. The person must do an act in his or her assumed character with the intent to commit a felony or third degree theft.

**Amended Bill Compared to Original Bill:** Identity theft remains unranked on the sentencing grid. First degree criminal impersonation remains a gross misdemeanor. Second degree criminal impersonation remains a misdemeanor.

**Appropriation:** None.

**Fiscal Note:** Available.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.

**Testimony For:** This has become a serious crime because of the numbers of victims. Serious and long lasting harm is done to victims because it can take years to repair their credit rating.

**Testimony Against:** None.

**Testified:** Jan Gee, Washington Retail Association, Washington Food Industry (pro).