

---

SENATE BILL 6459

---

State of Washington

56th Legislature

2000 Regular Session

By Senators Bauer and Rasmussen

Read first time 01/17/2000. Referred to Committee on Judiciary.

1 AN ACT Relating to use of identifying information; amending RCW  
2 9.35.020; and prescribing penalties.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 **Sec. 1.** RCW 9.35.020 and 1999 c 368 s 3 are each amended to read  
5 as follows:

6 (1) No person may knowingly use or knowingly transfer a means of  
7 identification of another person with the intent to commit, or to aid  
8 or abet, any unlawful activity harming or intending to harm the person  
9 whose identity is used, or for committing any felony.

10 (2) It is unlawful for any person to knowingly use a means of  
11 identification of another person to solicit undesired mail with the  
12 intent to annoy, harass, intimidate, torment, or embarrass that person.

13 (3) For purposes of this section, "means of identification" means  
14 any information or item that is not describing finances or credit but  
15 is personal to or identifiable with any individual or other person,  
16 including any current or former name of the person, telephone number,  
17 and electronic address or identifier of the individual or any member of  
18 his or her family, including the ancestor of such person; any  
19 information relating to a change in name, address, telephone number, or

1 electronic address or identifier of the individual or his or her  
2 family; any social security, driver's license, or tax identification  
3 number of the individual or any member of his or her family; and other  
4 information which could be used to identify the person, including  
5 unique biometric data.

6 ((+3)) (4) Violation of this section is a class C felony.

7 ((+4)) (5) A person ((that-[who])) who violates this section is  
8 liable for five hundred dollars or actual damages, including costs to  
9 repair the person's credit record, whichever is greater, and reasonable  
10 attorneys' fees. If the person violating this section is a business  
11 that repeatedly violates this section, that person also violates the  
12 Consumer Protection Act, chapter 19.86 RCW.

--- END ---