

HOUSE SUBSTITUTE FOR  
SENATE BILL NO. 120

A bill to amend 1931 PA 328, entitled  
"The Michigan penal code,"  
(MCL 750.1 to 750.568) by adding section 285.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1           SEC. 285. (1) A PERSON SHALL NOT OBTAIN OR ATTEMPT TO  
2 OBTAIN PERSONAL IDENTITY INFORMATION OF ANOTHER PERSON WITH THE  
3 INTENT TO UNLAWFULLY USE THAT INFORMATION FOR ANY OF THE FOLLOW-  
4 ING PURPOSES WITHOUT THAT PERSON'S AUTHORIZATION:  
5           (A) TO OBTAIN FINANCIAL CREDIT.  
6           (B) TO PURCHASE OR OTHERWISE OBTAIN OR LEASE ANY REAL OR  
7 PERSONAL PROPERTY.  
8           (C) TO OBTAIN EMPLOYMENT.  
9           (D) TO OBTAIN ACCESS TO MEDICAL RECORDS OR INFORMATION  
10 CONTAINED IN MEDICAL RECORDS.

**SB120, As Passed House, December 5, 2000**

Senate Bill No. 120

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1 (E) TO COMMIT ANY ILLEGAL ACT.

2 (2) A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A FELONY  
3 PUNISHABLE BY IMPRISONMENT FOR NOT MORE THAN 5 YEARS OR A FINE OF  
4 NOT MORE THAN \$10,000.00, OR BOTH.

5 (3) THIS SECTION DOES NOT PROHIBIT THE PERSON FROM BEING  
6 CHARGED WITH, CONVICTED OF, OR SENTENCED FOR ANY OTHER VIOLATION  
7 OF LAW COMMITTED BY THAT PERSON USING INFORMATION OBTAINED IN  
8 VIOLATION OF THIS SECTION.

9 (4) THIS SECTION DOES NOT APPLY TO A PERSON WHO OBTAINS OR  
10 ATTEMPTS TO OBTAIN PERSONAL IDENTITY INFORMATION OF ANOTHER  
11 PERSON PURSUANT TO THE DISCOVERY PROCESS OF A CIVIL ACTION, AN  
12 ADMINISTRATIVE PROCEEDING, OR AN ARBITRATION PROCEEDING.

13 (5) AS USED IN THIS SECTION:

14 (A) "FINANCIAL TRANSACTION DEVICE" MEANS THAT TERM AS  
15 DEFINED IN SECTION 157M.

16 (B) "MEDICAL RECORDS" INCLUDES, BUT IS NOT LIMITED TO, MEDI-  
17 CAL AND MENTAL HEALTH HISTORIES, REPORTS, SUMMARIES, DIAGNOSES  
18 AND PROGNoses, TREATMENT AND MEDICATION INFORMATION, NOTES,  
19 ENTRIES, AND X-RAYS AND OTHER IMAGING RECORDS.

20 (C) "PERSONAL IDENTITY INFORMATION" MEANS ANY OF THE FOLLOW-  
21 ING INFORMATION OF ANOTHER PERSON:

22 (i) A SOCIAL SECURITY NUMBER.

23 (ii) A DRIVER LICENSE NUMBER OR STATE PERSONAL IDENTIFICA-  
24 TION CARD NUMBER.

25 (iii) EMPLOYMENT INFORMATION.

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Sub. SB 120 (H-1) as amended December 5, 2000

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1 (iv) INFORMATION REGARDING ANY FINANCIAL ACCOUNT HELD BY  
2 ANOTHER PERSON INCLUDING, BUT NOT LIMITED TO, ANY OF THE  
3 FOLLOWING:

4 (A) A SAVINGS OR CHECKING ACCOUNT NUMBER.

5 (B) A FINANCIAL TRANSACTION DEVICE ACCOUNT NUMBER.

6 (C) A STOCK OR OTHER SECURITY CERTIFICATE OR ACCOUNT  
7 NUMBER.

8 (D) A PERSONAL INFORMATION NUMBER FOR AN ACCOUNT DESCRIBED  
9 IN SUB-SUBPARAGRAPHS (A) TO (C).

10 Enacting section 1. This amendatory act takes effect  
11 [April] 1, 2001.