

SENATE BILL NO. 120

January 27, 1999, Introduced by Senators STEIL, MC COTTER, BULLARD, GOSCHKA, SIKKEMA, SHUGARS, GOUGEON, MC MANUS and HAMMERSTROM and referred to the Committee on Judiciary.

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 USE THAT INFORMATION FOR ANY OF THE FOLLOWING PURPOSES
4 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.

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 4 YEARS OR A FINE OF
4 NOT MORE THAN \$2,000.00, 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) AS USED IN THIS SECTION:

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

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

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

18 (i) A SOCIAL SECURITY NUMBER.

19 (ii) A DRIVER LICENSE NUMBER OR STATE PERSONAL IDENTIFICA-
20 TION CARD NUMBER.

21 (iii) EMPLOYMENT INFORMATION.

22 (iv) INFORMATION REGARDING ANY FINANCIAL ACCOUNT HELD BY
23 ANOTHER PERSON INCLUDING, BUT NOT LIMITED TO, ANY OF THE
24 FOLLOWING:

25 (A) A SAVINGS OR CHECKING ACCOUNT NUMBER.

26 (B) A FINANCIAL TRANSACTION DEVICE ACCOUNT NUMBER.

1 (C) A STOCK OR OTHER SECURITY CERTIFICATE OR ACCOUNT
2 NUMBER.

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