

State of Arizona  
House of Representatives  
Forty-fifth Legislature  
First Regular Session  
2001

CHAPTER 113

# HOUSE BILL 2327

AN ACT

AMENDING SECTIONS 13-2001 AND 13-2008, ARIZONA REVISED STATUTES; RELATING TO  
IDENTITY THEFT.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 13-2001, Arizona Revised Statutes, is amended to  
3 read:

4 13-2001. Definitions

5 In this chapter, unless the context otherwise requires:

6 1. "Access device" means any card, token, code, account number,  
7 electronic serial number, mobile or personal identification number, password,  
8 encryption key, biometric identifier or other means of account access,  
9 including a canceled or revoked access device, that can be used alone or in  
10 conjunction with another access device to obtain money, goods, services,  
11 computer or network access or any other thing of value or that can be used  
12 to initiate a transfer of any thing of value.

13 2. "Coin machine" means a coin box, turnstile, vending machine or  
14 other mechanical, electrical or electronic device or receptacle that is  
15 designed to receive a coin or bill of a certain denomination or a token made  
16 for such purpose and that, in return for the insertion or deposit of the  
17 coin, bill or token, automatically offers, provides, assists in providing or  
18 permits the acquisition or use of some property or service.

19 3. "Complete written instrument" means a written instrument that  
20 purports to be genuine and fully drawn with respect to every essential  
21 feature.

22 4. "Falsely alters a written instrument" means to change a complete  
23 or incomplete written instrument, without the permission of anyone entitled  
24 to grant it, by means of COUNTERFEITING, WASHING, erasure, obliteration,  
25 deletion, insertion of new matter, CONNECTING TOGETHER DIFFERENT PARTS OF THE  
26 WHOLE OF MORE THAN ONE GENUINE INSTRUMENT or transposition of matter or in  
27 any other manner, so that the altered instrument falsely appears or purports  
28 to be in all respects an authentic creation of its ostensible maker or  
29 authorized by him.

30 5. "Falsely completes a written instrument" means to transform an  
31 incomplete written instrument into a complete one by adding, inserting or  
32 changing matter without the permission of anyone entitled to grant it, so  
33 that the complete written instrument falsely appears or purports to be in all  
34 respects an authentic creation of its ostensible maker or authorized by him.

35 6. "Falsely makes a written instrument" means to make or draw a  
36 complete or incomplete written instrument that purports to be an authentic  
37 creation of its ostensible maker but that is not either because the  
38 ostensible maker is fictitious, or because, if real, the ostensible maker did  
39 not authorize the making or drawing of the written instrument.

40 7. "Forged instrument" means a written instrument that has been  
41 falsely made, completed or altered.

42 8. "Incomplete written instrument" means a written instrument that  
43 contains some matter by way of content or authentication but that requires  
44 additional matter to render it a complete written instrument.

1           9. "Personal identifying information" means a name, electronic  
2 identifier or screen name, biometric identifier, driver license number,  
3 access device, residence or mailing address, telephone number, employer,  
4 student or military identification number, social security number, or birth  
5 date, SAVINGS OR CHECKING ACCOUNT NUMBER, CREDIT CARD, CHARGE CARD OR DEBIT  
6 CARD NUMBER, MOTHER'S MAIDEN NAME, FINGERPRINT, RETINAL IMAGE OR THE IMAGE  
7 OF AN IRIS.

8           10. "Slug" means an object, article or device that by virtue of its  
9 size, its shape or any other quality is capable of being inserted, deposited  
10 or otherwise used in a coin machine as a fraudulent substitute for a genuine  
11 token, lawful coin or bill of the United States.

12           11. "Written instrument" means either:

13           (a) Any paper, document or other instrument that contains written or  
14 printed matter or its equivalent.

15           (b) Any token, stamp, seal, badge, trademark, graphical image, access  
16 device or other evidence or symbol of value, right, privilege or  
17 identification.

18           Sec. 2. Section 13-2008, Arizona Revised Statutes, is amended to read:  
19 13-2008. Taking identity of another person; classification

20           A. A person commits taking the identity of another person if the  
21 person knowingly takes, or uses, SELLS OR TRANSFERS any personal identifying  
22 information of another person, without the consent of that other person, with  
23 the intent to obtain, or use, SELL OR TRANSFER the other person's identity  
24 for any unlawful purpose or to cause loss to a person.

25           B. A peace officer in any jurisdiction in which an element of the  
26 offense is committed or a result of the offense occurs may take a report.

27           C. If a defendant is alleged to have committed multiple violations of  
28 this section within the same county, the prosecutor may file a complaint  
29 charging all of the violations and any related charges under other sections  
30 that have not been previously filed in the justice of the peace precinct in  
31 which the greatest number of violations are alleged to have occurred.

32           D. Taking the identity of another person is class 4 felony.

33           ~~E. For the purposes of this section, "victim" includes a person whose  
34 personal identifying information is taken or used without consent, whether  
35 or not the victim actually suffers any economic loss as a result of the  
36 offense.~~

APPROVED BY THE GOVERNOR APRIL 11, 2001.

FILED IN THE OFFICE OF THE SECRETARY OF STATE APRIL 12, 2001.

Passed the House March 12, 2001,

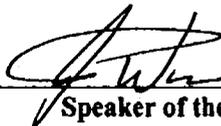
Passed the Senate April 2, 2001,

by the following vote: 52 Ayes,

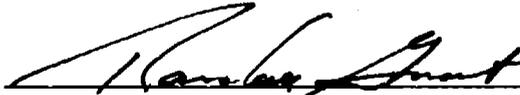
by the following vote: 29 Ayes,

0 Nays, 8 Not Voting

0 Nays, 1 Not Voting



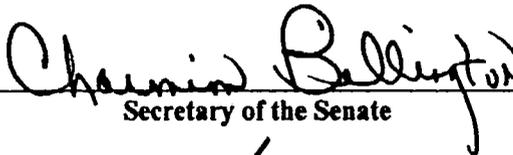
Speaker of the House



President of the Senate



Chief Clerk of the House



Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA  
OFFICE OF GOVERNOR

This Bill was received by the Governor this

\_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_,

at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

\_\_\_\_\_  
Secretary to the Governor

Approved this \_\_\_\_\_ day of

\_\_\_\_\_, 20\_\_\_\_,

at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

\_\_\_\_\_  
Governor of Arizona

EXECUTIVE DEPARTMENT OF ARIZONA  
OFFICE OF SECRETARY OF STATE

This Bill was received by the Secretary of State  
this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_,

at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

\_\_\_\_\_  
Secretary of State

H.B. 2327

HOUSE CONCURS IN SENATE  
AMENDMENTS AND FINAL PASSAGE

April 5, 2001,

by the following vote: 54 Ayes,

0 Nays, 6 Not Voting

Jake Flake  
Speaker of the House  
Pro Tempore  
Norman L. Moore  
Chief Clerk of the House

EXECUTIVE DEPARTMENT OF ARIZONA  
OFFICE OF GOVERNOR

This Bill was received by the Governor this

6 day of April, 2001,

at 9:32 o'clock A M.

Jandra Stamey  
Secretary to the Governor

Approved this 11 day of

April, 2001,

at 8:31 o'clock P M.

Janice K. Hull  
Governor of Arizona

H.B. 2327

EXECUTIVE DEPARTMENT OF ARIZONA  
OFFICE OF SECRETARY OF STATE

This Bill was received by the Secretary of State

this 12 day of April, 2001,

at 3:36 o'clock P M.

Debra Bayless  
Secretary of State