

## Session 117 - (2007-2008)

### **S\*0453 (Rat #0202, Act #0190 of 2008) General Bill, By Senate Banking and Insurance**

#### **Similar (S 0008)**

#### **Summary:** Financial Identity Fraud and Identity Theft Protection Act

AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT THE "FINANCIAL IDENTITY FRAUD AND IDENTITY THEFT PROTECTION ACT", BY ADDING CHAPTER 20 TO TITLE 37 PROVIDING FOR PROTECTIONS IN CONNECTION WITH CONSUMER CREDIT-REPORTING AGENCIES AND WITH THE USE AND COMMUNICATION OF A CONSUMER'S SOCIAL SECURITY NUMBER, IMPOSITION OF A SECURITY FREEZE ON A CONSUMER'S CREDIT REPORT, PRESCRIPTION OF MEASURES FOR DISPOSAL OF PERSONAL IDENTIFYING INFORMATION, PROCEDURE FOR RESOLUTION OF DISPUTED CREDIT INFORMATION, AND CIVIL DAMAGES, INCLUDING ATTORNEY'S FEES AND COSTS AND INJUNCTIVE RELIEF; BY REDESIGNATING THE FAMILY PRIVACY PROTECTION ACT OF CHAPTER 2, TITLE 30, AS ARTICLE 1 AND BY ADDING ARTICLE 3 PROVIDING FOR PROTECTION OF PERSONAL IDENTIFYING INFORMATION PRIVACY IN CONNECTION WITH A PUBLIC BODY AND ITS USE AND COMMUNICATION OF A RESIDENT'S SOCIAL SECURITY NUMBER, PRESCRIPTION FOR DISCLOSURE OF SOCIAL SECURITY INFORMATION AND IDENTIFYING INFORMATION BY AND TO CERTAIN PUBLIC BODIES, PROHIBITION OF REQUIRING THE USE OF PERSONAL IDENTIFYING INFORMATION ON A MORTGAGE AND IN PREPARATION OF DOCUMENTS FOR PUBLIC FILING, AND PROCEDURE FOR REDACTING CERTAIN PERSONAL IDENTIFYING INFORMATION FROM PUBLIC RECORDS; BY ADDING SECTION 1-11-490 SO AS TO PROVIDE FOR DISCLOSURE BY AN AGENCY OF THIS STATE OF UNAUTHORIZED ACCESS TO OR ACQUISITION OF THE PERSONAL IDENTIFYING INFORMATION OF A RESIDENT WHOSE INFORMATION THE AGENCY OWNS OR LICENSES AND TO PROVIDE FOR CIVIL DAMAGES, ATTORNEY'S FEES, AND INJUNCTIVE RELIEF; BY ADDING SECTION 16-11-725 SO AS TO MAKE IT UNLAWFUL TO USE ANOTHER PERSON'S HOUSEHOLD GARBAGE FOR THE PURPOSE OF COMMITTING FINANCIAL OR IDENTITY FRAUD; BY ADDING SECTION 16-13-512 SO AS TO REGULATE THE USE OF A CARDHOLDER'S SOCIAL SECURITY NUMBER ON A CREDIT OR DEBIT CARD RECEIPT; BY ADDING SECTION 39-1-90 SO AS TO PROVIDE FOR DISCLOSURE BY A PERSON CONDUCTING BUSINESS IN THIS STATE OF UNAUTHORIZED ACCESS TO OR ACQUISITION OF THE PERSONAL IDENTIFYING INFORMATION OF A RESIDENT WHOSE INFORMATION THE PERSON OWNS OR LICENSES AND TO PROVIDE FOR CIVIL DAMAGES, ATTORNEY'S FEES, AND INJUNCTIVE RELIEF; BY AMENDING SECTION 16-13-510, AS AMENDED, RELATING TO THE OFFENSE OF FINANCIAL IDENTITY FRAUD, SO AS TO ADD THE ELEMENTS OF WILFULNESS AND KNOWLEDGE AND TO INCLUDE THE OFFENSE OF IDENTITY FRAUD AS THE USE OF ANOTHER'S INFORMATION TO AVOID LEGAL CONSEQUENCES OR TO OBTAIN EMPLOYMENT AND TO FURTHER DEFINE "IDENTIFYING INFORMATION"; AND TO REPEAL SECTION 16-13-515, RELATING TO IDENTITY FRAUD; AND TO PROVIDE VARIOUS EFFECTIVE DATES. - ratified title

<b>02/15/07</b>	<b>Senate</b>	<b>Introduced, read first time, placed on calendar without reference SJ-9</b>
<b>02/20/07</b>		<b>Scrivener's error corrected</b>
<b>02/21/07</b>	<b>Senate</b>	<b>Amended SJ-25</b>
<b>02/21/07</b>	<b>Senate</b>	<b>Read second time SJ-25</b>
<b>02/22/07</b>	<b>Senate</b>	<b>Read third time and sent to House SJ-16</b>
<b>02/22/07</b>		<b>Scrivener's error corrected</b>
<b>02/23/07</b>		<b>Scrivener's error corrected</b>
<b>02/27/07</b>	<b>House</b>	<b>Introduced and read first time HJ-7</b>
<b>02/27/07</b>	<b>House</b>	<b>Referred to Committee on Labor, Commerce and Industry HJ-9</b>
<b>05/03/07</b>	<b>House</b>	<b>Recalled from Committee on Labor, Commerce and Industry HJ-159</b>
<b>05/03/07</b>	<b>House</b>	<b>Referred to Committee on Judiciary HJ-159</b>
<b>01/31/08</b>	<b>House</b>	<b>Committee report: Favorable with amendment Judiciary HJ-10</b>
<b>02/06/08</b>	<b>House</b>	<b>Debate adjourned HJ-16</b>
<b>02/06/08</b>	<b>House</b>	<b>Amended HJ-34</b>
<b>02/06/08</b>	<b>House</b>	<b>Debate adjourned until Thursday, February 7, 2008 HJ-62</b>
<b>02/07/08</b>	<b>House</b>	<b>Amended HJ-28</b>
<b>02/07/08</b>	<b>House</b>	<b>Read second time HJ-31</b>
<b>02/07/08</b>	<b>House</b>	<b>Unanimous consent for third reading on next legislative day HJ-31</b>
<b>02/08/08</b>	<b>House</b>	<b>Read third time and returned to Senate with amendments HJ-1</b>
<b>02/13/08</b>	<b>Senate</b>	<b>House amendment amended SJ-36</b>
<b>02/27/08</b>	<b>Senate</b>	<b>House amendment amended SJ-18</b>

02/27/08	Senate	Returned to House with amendments SJ-18
02/28/08		Scrivener's error corrected
02/29/08		Scrivener's error corrected
03/04/08	House	Concurred in Senate amendment and enrolled HJ-70
03/27/08		Ratified R 202
04/02/08		Signed By Governor
04/08/08		Copies available
04/08/08		Effective date See Act for Effective Date
04/15/08		Act No. 190