

**REVENUE: No revenue impact**

**FISCAL: Minimal fiscal impact, no statement issued**

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**Action:** Do Pass

**Vote:** 8 - 0 - 1

**Yeas:** Barker, Bonamici, Cameron, Komp, Krieger, Read, Whisnant, Macpherson

**Nays:** 0

**Exc.:** Flores

**Prepared By:** Darian Stanford, Counsel

**Meeting Dates:** 5/18, 5/21, 5/22

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**WHAT THE MEASURE DOES:** Creates Class B felony of aggravated identity theft

**ISSUES DISCUSSED:**

- Different charging option for prosecutors
- Operates separately from the repeat property offender statute

**EFFECT OF COMMITTEE AMENDMENT:** No amendment.

**BACKGROUND:** ORS 165.800 creates the Class C felony of identity theft. The elements of this offense are: (1) intent to deceive or defraud; (2) obtain/possess/convert to defendant's own use; (3) personal identification of another. Personal identification includes a broad array of written documents or electronic data.

SB 464 A expands this offense by creating "aggravated identity theft," a Class B felony. The elements of aggravated identity theft include: (1) committing identity theft 10 or more times in 180 days; (2) committing identity theft and the amount is over \$10,000 in a 180-day period; (3) committing identity theft and the defendant has 10 or more pieces of identification from 10 or more different persons.