

## SENATE AMENDMENTS TO SENATE BILL 464

By COMMITTEE ON COMMERCE

April 16

- 1 On page 1 of the printed bill, delete lines 4 through 21 and insert:  
2 **“SECTION 1. (1) A person commits the crime of aggravated identity theft if:**  
3 **“(a) The person violates ORS 165.800 in 10 or more separate incidents within a 180-day**  
4 **period;**  
5 **“(b) The person violates ORS 165.800 and the person has a previous conviction for ag-**  
6 **gravated identity theft;**  
7 **“(c) The person violates ORS 165.800 and the losses incurred in a single or aggregate**  
8 **transaction are \$10,000 or more within a 180-day period; or**  
9 **“(d) The person violates ORS 165.800 and has in the person’s custody, possession or con-**  
10 **trol 10 or more pieces of personal identification from 10 or more different persons.**  
11 **“(2) Aggravated identity theft is a Class B felony.**  
12 **“(3) As used in this section, ‘previous conviction’ includes:**  
13 **“(a) Convictions occurring before, on or after the effective date of this 2007 Act; and**  
14 **“(b) Convictions entered in any other state or federal court for comparable offenses.**  
15 **“(4) The state shall plead in the accusatory instrument and prove beyond a reasonable**  
16 **doubt, as an element of the offense, the previous conviction for aggravated identity theft.”.**  
17
-