## COMMITTEE ON HOMELAND SECURITY, JUSTICE AND PUBLIC SAFETY

## 11/19/15-REPORTED OUT TO THE COMMITTEE ON RULES AND JUDICIARY

## BILL NO. 31-0037

## Thirty-first Legislature of the Virgin Islands

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An Act amending Title 14 Virgin Islands Code, chapter 110, section 2203 relating to aggravated identity theft, making the theft of a minor's identity an aggravated offense, and increasing the penalties for aggravated identity theft

**PROPOSED BY: Senator Sammuel Sanes** Co-Sponsor: Jean Forde Be it enacted by the Legislature of the Virgin Islands: 1

- 2 **SECTION 1.** Title 14 Virgin Islands Code, chapter 110, section 2203 is amended 3 in the following instances:
- 4 Strike the language in subsection (a) in its entirety and replace it with: (a)
- 5 "A person commits the offense of aggravated identity theft when the 6 person commits the offense of identity theft as set forth in section 2202, 7 subsection (a) against:
  - (1) A person who is 60 years of age or older;

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9 A dependent adult ,as defined in 34 V.I.C. §452; or (2)

1	(3)	A person who is less than 18 years of age."
2	(b) Str	rike subsections (c) and (d) and insert a new subsection (c) that reads as
3	follows:	
4	"(c) A	defense to aggravated identity theft:
5	(1)	as set forth in subsection (a)(2) of this section does not exist
6	merely be	cause the accused reasonably believed the victim to be a person less
7	than 60 ye	ears of age; or
8	(2)	as set forth in subsection (a)(2) of this section does not exist
9	merely be	ecause the accused reasonably believed that the victim was not a
10	dependent	adult; or
11	(3)	as set forth in subsection (a) (3) does not exist merely because the
12	accused re	easonably believed the victim to be a person over the age of 18."
13	(c) in	subsection (e):
14	(1)	in the introductory clause, strike the phrase, "for which the specific
15	sentences	are:" and insert in its place, "punishable by a fine up to \$10,000 and by
16	a term of i	imprisonment of up to 15 years for the first conviction;"
17	(2)	in paragraph (5) strike the paragraph designator, "(5)", and strike
18	both occur	rrences of the phrase, "regardless of the value of the property involved;
19	(3)	strike paragraphs (1) through (4); and
20	(4)	re-designate subsection (e) as subsection (d).
21		BILL SUMMARY

1	This bill amends Title 14 Virgin Islands Code, chapter 110, section 2203 by		
2	making identity theft against a minor an aggravated identity theft and increasing the		
3	penalties for the first conviction of aggravated identity theft, regardless of the value of the		
4	property involved, to a fine of up to \$10,000 and a term of imprisonment of up to 15		
5	years.		
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8	BR15-0291/February 3, 2015/GC/Reviewed by YLT		
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