



# House of Representatives

General Assembly

**File No. 416**

February Session, 2002

Substitute House Bill No. 5744

*House of Representatives, April 9, 2002*

The Committee on Judiciary reported through REP. LAWLOR of the 99th Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

## ***AN ACT CONCERNING IDENTITY THEFT.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective October 1, 2002*) Any person who believes  
2 he or she is a victim of a violation of section 53a-129a of the general  
3 statutes may file a complaint reporting such alleged violation with the  
4 law enforcement agency for the town in which such person resides.  
5 Such law enforcement agency shall accept such complaint and  
6 investigate such alleged violation and any other offenses allegedly  
7 committed as a result of such violation and shall, if necessary,  
8 coordinate such investigation with any other law enforcement  
9 agencies.

10 Sec. 2. Section 54-1d of the general statutes is repealed and the  
11 following is substituted in lieu thereof (*Effective October 1, 2002*):

12 (a) Except as provided in [subsection (b)] subsections (b) and (c) of  
13 this section, defendants in criminal actions shall be brought either to

14 the court in the geographical area established pursuant to section 51-  
 15 348, as amended, in which the crime was alleged to have been  
 16 committed, or, if the arrest was by warrant, to the court in the  
 17 geographical area in which the arrest was made, for arraignment. If the  
 18 defendant was brought to the court in the geographical area in which  
 19 the arrest was made for arraignment and was not released from  
 20 custody after such arraignment, the defendant shall be presented to the  
 21 court in the geographical area in which the crime was alleged to have  
 22 been committed not later than the second court day following such  
 23 arraignment. A criminal cause shall not fail on the ground that it has  
 24 been submitted to a session of improper venue.

25 (b) Any defendant who is charged with multiple offenses under any  
 26 provision of section 53a-127b or sections 53a-128a to 53a-128i,  
 27 inclusive, where such offenses were alleged to have been committed in  
 28 more than one geographical area established pursuant to section 51-  
 29 348, as amended, may be presented to the court in any one of such  
 30 geographical areas. The court may consolidate all such offenses into a  
 31 single criminal action and shall have jurisdiction over such action.

32 (c) Any defendant who is charged with a violation of section 53a-  
 33 129a and any defendant who is charged with any other offense  
 34 committed as a result of such violation may be presented to the court  
 35 in the geographical area in which the victim resides.

This act shall take effect as follows:	
Section 1	October 1, 2002
Sec. 2	October 1, 2002

**JUD**      *Joint Favorable Subst.*

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either House thereof for any purpose:

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**OFA Fiscal Note**

**State Impact:** None

**Municipal Impact:** None

**Explanation**

The bill allows individuals who believe they are victims of identity theft to file complaints in their own towns of residence regardless of where the alleged crimes were committed. Additionally, the bill provides that offenders can be arraigned in the superior court for the geographical area where the victim lives. The bill is not anticipated to result in any fiscal impact to the state.

**OLR Bill Analysis**

sHB 5744

**AN ACT CONCERNING IDENTITY THEFT****SUMMARY:**

This bill allows people who believe that they are identity theft victims to file a complaint of the suspected violation with the law enforcement agency in their town of residence. The agency must investigate the allegation and any other related violations and coordinate, where necessary, investigations with other law enforcement agencies.

The bill allows identity theft offenders to be arraigned in the superior court for the geographical area where the victim lives rather than in the court where either the crime was allegedly committed or the arrest was made.

EFFECTIVE DATE: October 1, 2002

**BACKGROUND*****Identity Theft***

A person is guilty of identity theft when he intentionally gets another person's personal identifying information and uses it for an unlawful purpose, including to get or attempt to get credit, goods, services, or medical information. The offender must acquire and use the information without the subject's authority or consent. "Personal identifying information" means motor vehicle operator's license; Social Security, employee identification, demand deposit, savings account, or credit card numbers; or someone's mother's maiden name. Identity theft is a class D felony punishable by one to five years imprisonment, up to a \$5,000 fine, or both.

**COMMITTEE ACTION**

Judiciary Committee

Joint Favorable Substitute

Yea 40      Nay 0

