State of Arizona  
Senate  
Fiftieth Legislature  
Second Regular Session  
2012

SENATE BILL 1143

AN ACT

AMENDING SECTION 13-2009, ARIZONA REVISED STATUTES; RELATING TO IDENTITY THEFT.

(TEXT OF BILL BEGINS ON NEXT PAGE)
Be it enacted by the Legislature of the State of Arizona:

Section 1. Section 13-2009, Arizona Revised Statutes, is amended to read:

13-2009. Aggravated taking identity of another person or entity: classification

A. A person commits aggravated taking the identity of another person or entity if the person knowingly takes, purchases, manufactures, records, possesses or uses any personal identifying information or entity identifying information of either:

1. Three or more other persons or entities, including real or fictitious persons or entities, without the consent of the other persons or entities, with the intent to obtain or use the other persons' or entities' identities for any unlawful purpose or to cause loss to the persons or entities whether or not the persons or entities actually suffer any economic loss.

2. Another person or entity, including a real or fictitious person or entity, without the consent of that other person or entity, with the intent to obtain or use the other person's or entity's identity for any unlawful purpose and causes another person or entity to suffer an economic loss of three thousand dollars or more.

3. Another person, including a real or fictitious person, with the intent to obtain employment.

B. In an action for aggravated taking the identity of another person or entity under subsection A, paragraph 1 of this section, proof of possession out of the regular course of business of the personal identifying information or entity identifying information of three or more other persons or entities may give rise to an inference that the personal identifying information or entity identifying information of the three or more other persons or entities was possessed for an unlawful purpose.

C. This section does not apply to a violation of section 4-241 by a person who is under twenty-one years of age.

D. Aggravated taking the identity of another person or entity is a class 3 felony, EXCEPT THAT A VIOLATION OF SUBSECTION A, PARAGRAPH 1 OF THIS SECTION THAT INVOLVES FIFTY OR MORE PERSONS OR ENTITIES IS A CLASS 2 FELONY.