



93RD GENERAL ASSEMBLY
State of Illinois
2003 and 2004
HB4435

Introduced 02/03/04, by Elaine Nekritz

SYNOPSIS AS INTRODUCED:

15 ILCS 205/4f new
55 ILCS 5/5-1130 new
65 ILCS 5/11-1-15 new
30 ILCS 805/8.28 new

Amends the Attorney General Act. Requires the Attorney General to prepare, cause to be printed, and distribute to all municipal police departments and county sheriffs an information packet for victims of identity theft that includes certain information. Amends the Counties Code and the Illinois Municipal Code. Provides that the county board of each county shall require the county sheriff to distribute an information packet prepared by the Attorney General to all victims of identity theft. Imposes the same requirement on the corporate authorities of all municipalities that have established a police department. Amends the State Mandates Act to require implementation without reimbursement by the State.

LRB093 15379 MKM 40981 b

FISCAL NOTE ACT
MAY APPLY

HOME RULE NOTE
ACT MAY APPLY

STATE MANDATES
ACT MAY REQUIRE
REIMBURSEMENT

1 AN ACT concerning identity theft.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Attorney General Act is amended by adding
5 Section 4f as follows:

6 (15 ILCS 205/4f new)

7 Sec. 4f. Identity theft information packet. The Attorney
8 General must prepare, cause to be printed, and distribute to
9 county sheriffs and municipal police departments an
10 information packet for distribution to victims of identity
11 theft. The information packet must include the following
12 information: (i) how to report the offense of identity theft,
13 (ii) how to recover items lost or stolen as a result of
14 identity theft, (iii) whom to contact to end the theft, and
15 (iv) how to prevent identity theft from happening again.

16 Section 10. The Counties Code is amended by adding Section
17 5-1130 as follows:

18 (55 ILCS 5/5-1130 new)

19 Sec. 5-1130. Identity theft information packet. The county
20 board of each county shall require the county sheriff to
21 provide an information packet to victims of identity theft, as
22 that offense is defined in Section 16G-15 of the Criminal Code
23 of 1961. The information packet shall be prepared, caused to be
24 printed, and distributed by the Attorney General, pursuant to
25 Section 10 of the Attorney General Act. A home rule unit may
26 not act in a manner inconsistent with this Section. This
27 Section is a limitation under subsection (i) of Section 6 of
28 Article VII of the Illinois Constitution on the concurrent
29 exercise by home rule units of powers and functions exercised
30 by the State.

1 Section 15. The Illinois Municipal Code is amended by
2 adding Section 11-1-15 as follows:

3 (65 ILCS 5/11-1-15 new)

4 Sec. 11-1-15. Identity theft information packet. The
5 corporate authorities of each municipality that has
6 established a police department shall require the police
7 department to provide an information packet to victims of
8 identity theft, as that offense is defined in Section 16G-15 of
9 the Criminal Code of 1961. The information packet shall be
10 prepared, printed, and distributed to the police department by
11 the Attorney General, pursuant to Section 10 of the Attorney
12 General Act. A home rule unit may not act in a manner
13 inconsistent with this Section. This Section is a limitation
14 under subsection (i) of Section 6 of Article VII of the
15 Illinois Constitution on the concurrent exercise by home rule
16 units of powers and functions exercised by the State.

17 Section 90. The State Mandates Act is amended by adding
18 Section 8.28 as follows:

19 (30 ILCS 805/8.28 new)

20 Sec. 8.28. Exempt mandate. Notwithstanding Sections 6 and 8
21 of this Act, no reimbursement by the State is required for the
22 implementation of any mandate created by this amendatory Act of
23 the 93rd General Assembly.