

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

February 17, 2015

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

1 ***Be it enacted by the Legislature of the Virgin Islands:***

2 **SECTION 1.** Title 14 Virgin Islands Code, chapter 110, section 2203 is amended
3 in the following instances:

4 (a) Strike the language in subsection (a) in its entirety and replace it with:
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:

8 (1) A person who is 60 years of age or older;

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

1 (3) A person who is less than 18 years of age.”

2 (b) Strike 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 because the accused reasonably believed the victim to be a person less
7 than 60 years of age; or

8 (2) as set forth in subsection (a)(2) of this section does not exist
9 merely because the accused reasonably believed that the victim was not a
10 dependent adult; or

(3) as set forth in subsection (a) (3) does not exist merely because the
accused reasonably believed the victim to be a person over the age of 18.”

13 (c) in subsection (e):

(1) in the introductory clause, strike the phrase, “for which the specific sentences are:” and insert in its place, “punishable by a fine up to \$10,000 and by a term of imprisonment of up to 15 years for the first conviction;”

(2) in paragraph (5) strike the paragraph designator, “(5)”, and strike both occurrences 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.

6

7

8 **BR15-0291/February 3, 2015/GC/Reviewed by YLT**

9

10

11

12

13

14

15

16

17

18

19

20

21