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"Trio of crime bills is signed into law," CourierPostOnline.com, 1-23-13.

LAW/KR

P.L.2013, CHAPTER 241, *approved January 17, 2014*
Assembly, No. 2105 (*Third Reprint*)

1 AN ACT concerning impersonation via electronic means and
2 amending N.J.S.2C:21-17.

3
4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:

6
7 1. N.J.S.2C:21-17 is amended to read as follows:

8 2C:21-17. Impersonation; Theft of identity; crime.

9 a. A person is guilty of ³**[an offense]** a crime³ if the person
10 engages in one or more of the following actions by any means
11 including, but not limited to, the use of electronic communications
12 or an Internet website:

13 (1) Impersonates another or assumes a false identity and does an
14 act in such assumed character or false identity for the purpose of
15 obtaining a benefit for himself or another or to injure or defraud
16 another;

17 (2) Pretends to be a representative of some person or
18 organization and does an act in such pretended capacity for the
19 purpose of obtaining a benefit for himself or another or to injure or
20 defraud another;

21 (3) Impersonates another, assumes a false identity or makes a
22 false or misleading statement regarding the identity of any person,
23 in an oral or written application for services, for the purpose of
24 obtaining services;

25 (4) Obtains any personal identifying information pertaining to
26 another person and uses that information, or assists another person
27 in using the information, in order to assume the identity of or
28 represent himself as another person, without that person's
29 authorization and with the purpose to fraudulently obtain or attempt
30 to obtain a benefit or services, or avoid the payment of debt or other
31 legal obligation or avoid prosecution for a crime by using the name
32 of the other person; or

33 (5) Impersonates another, assumes a false identity or makes a
34 false or misleading statement, in the course of making an oral or
35 written application for services, with the purpose of avoiding
36 payment for prior services. Purpose to avoid payment for prior
37 services may be presumed upon proof that the person has not made
38 full payment for prior services and has impersonated another,
39 assumed a false identity or made a false or misleading statement

EXPLANATION – Matter enclosed in bold-faced brackets **[thus]** in the above bill is not enacted and is intended to be omitted in the law.

Matter underlined **thus** is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹Assembly AJU committee amendments adopted February 6, 2012.

²Assembly floor amendments adopted May 24, 2012.

³Senate floor amendments adopted December 19, 2013.

1 regarding the identity of any person in the course of making oral or
2 written application for services.

3 As used in this section:

4 "Benefit" means, but is not limited to, any property, any
5 pecuniary amount, any services, any pecuniary amount sought to be
6 avoided or any injury or harm perpetrated on another where there is
7 no pecuniary value.

8 b. (Deleted by amendment, P.L.2005, c.224).

9 c. A person who violates subsection a. of this section is guilty
10 of ~~["a crime"]~~ ¹~~["an offense"]~~ ²~~["a crime"]~~ ³~~["an offense"]~~ a crime³
11 as follows:

12 (1) If the actor obtains a benefit or deprives another of a benefit
13 in an amount less than \$500 and the offense involves the identity of
14 one victim, the actor shall be guilty of a crime of the fourth degree
15 except that a second or subsequent conviction for such an offense
16 constitutes a crime of the third degree; or

17 (2) If the actor obtains a benefit or deprives another of a benefit
18 in an amount of at least \$500 but less than \$75,000, or the offense
19 involves the identity of at least two but less than five victims, the
20 actor shall be guilty of a crime of the third degree; or

21 (3) If the actor obtains a benefit or deprives another of a benefit
22 in the amount of \$75,000 or more, or the offense involves the
23 identity of five or more victims, the actor shall be guilty of a crime
24 of the second degree¹; or

25 (4) If the actor obtains a benefit or deprives another of a benefit
26 which has no pecuniary value and the offense involves the identity
27 of one victim, the actor shall be guilty of a disorderly persons
28 offense¹.

29 d. A violation of N.J.S.2C:28-7, constituting a disorderly
30 persons offense, section 1 of P.L.1979, c.264 (C.2C:33-15),
31 R.S.33:1-81 or section 6 of P.L.1968, c.313 (C.33:1-81.7) in a case
32 where the person uses the personal identifying information of
33 another to illegally purchase an alcoholic beverage or for using the
34 personal identifying information of another to misrepresent his age
35 for the purpose of obtaining tobacco or other consumer product
36 denied to persons under ²~~["18"]~~ ²19 years of age shall not constitute
37 an offense under this section if the actor received only that benefit
38 or service and did not perpetrate or attempt to perpetrate any
39 additional injury or fraud on another.

40 e. The sentencing court shall issue such orders as are necessary
41 to correct any public record or government document that contains
42 false information as a result of a theft of identity. The sentencing
43 court may provide restitution to the victim in accordance with the
44 provisions of section 4 of P.L.2002, c.85 (C.2C:21-17.1).

45 ²["f. Notwithstanding the provisions of subsection c. of this
46 section, if the actor impersonates another or assumes a false identity
47 and by means of electronic communications or an Internet website
48 does an act in such assumed character or false identity for the

1 purpose of obtaining a benefit for himself or another which has no
2 pecuniary value or for the purpose of injuring or defrauding
3 another, and the offense involves one victim, the actor shall be
4 guilty of a disorderly persons offense. If the offense results in
5 bodily injury to another or significant mental suffering or distress,
6 the actor is guilty of a crime of the fourth degree.¹】

7 ³【f. Notwithstanding the provisions of subsection c. of this
8 section:

9 (1) If the actor impersonates another or assumes a false identity
10 and by means of electronic communications or an Internet website
11 does an act in such assumed character or false identity for the
12 purpose of injuring or defrauding another, and the offense involves
13 the identity of one or more victims, the actor shall be guilty of a
14 disorderly persons offense; and

15 (2) If the actor impersonates another or assumes a false identity
16 and by means of electronic communications or an Internet website
17 does an act in such assumed character or false identity for the
18 purpose of injuring or defrauding another, the offense involves the
19 identity of one or more victims, and the offense results in bodily
20 injury to another or significant mental suffering or distress, the
21 actor is guilty of a crime of the fourth degree.²】³

22 (cf: P.L.2005, c.224, s.2)

23

24 2. This act shall take effect immediately.

25

26

27

28

29 Clarifies that criminal impersonation committed by any means,
30 including electronic communications or Internet website, shall be
31 subject to criminal penalties.

ASSEMBLY, No. 2105

STATE OF NEW JERSEY 215th LEGISLATURE

INTRODUCED JANUARY 17, 2012

Sponsored by:

Assemblyman CRAIG J. COUGHLIN

District 19 (Middlesex)

Assemblywoman ANNETTE QUIJANO

District 20 (Union)

SYNOPSIS

Clarifies that criminal impersonation committed by any means including electronic communications or Internet website shall be subject to criminal penalties.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 2/7/2012)

A2105 COUGHLIN, QUIJANO

2

1 AN ACT concerning impersonation via electronic means and
2 amending N.J.S.2C:21-17.

3

4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:

6

7 1. N.J.S.2C:21-17 is amended to read as follows:

8 a. A person is guilty of an offense if the person engages in one
9 or more of the following actions by any means including, but not
10 limited to, the use of electronic communications or an Internet
11 website:

12 (1) Impersonates another or assumes a false identity and does an
13 act in such assumed character or false identity for the purpose of
14 obtaining a benefit for himself or another or to injure or defraud
15 another;

16 (2) Pretends to be a representative of some person or
17 organization and does an act in such pretended capacity for the
18 purpose of obtaining a benefit for himself or another or to injure or
19 defraud another;

20 (3) Impersonates another, assumes a false identity or makes a
21 false or misleading statement regarding the identity of any person,
22 in an oral or written application for services, for the purpose of
23 obtaining services;

24 (4) Obtains any personal identifying information pertaining to
25 another person and uses that information, or assists another person
26 in using the information, in order to assume the identity of or
27 represent himself as another person, without that person's
28 authorization and with the purpose to fraudulently obtain or attempt
29 to obtain a benefit or services, or avoid the payment of debt or other
30 legal obligation or avoid prosecution for a crime by using the name
31 of the other person; or

32 (5) Impersonates another, assumes a false identity or makes a
33 false or misleading statement, in the course of making an oral or
34 written application for services, with the purpose of avoiding
35 payment for prior services. Purpose to avoid payment for prior
36 services may be presumed upon proof that the person has not made
37 full payment for prior services and has impersonated another,
38 assumed a false identity or made a false or misleading statement
39 regarding the identity of any person in the course of making oral or
40 written application for services.

41 As used in this section:

42 "Benefit" means, but is not limited to, any property, any
43 pecuniary amount, any services, any pecuniary amount sought to be
44 avoided or any injury or harm perpetrated on another where there is
45 no pecuniary value.

EXPLANATION – Matter enclosed in bold-faced brackets **[thus]** in the above bill is
not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

1 b. (Deleted by amendment, P.L.2005, c.224).

2 c. A person who violates subsection a. of this section is guilty
3 of ~~【a crime】~~ an offense as follows:

4 (1) If the actor obtains a benefit or deprives another of a benefit
5 in an amount less than \$500 and the offense involves the identity of
6 one victim, the actor shall be guilty of a crime of the fourth degree
7 except that a second or subsequent conviction for such an offense
8 constitutes a crime of the third degree; or

9 (2) If the actor obtains a benefit or deprives another of a benefit
10 in an amount of at least \$500 but less than \$75,000, or the offense
11 involves the identity of at least two but less than five victims, the
12 actor shall be guilty of a crime of the third degree; or

13 (3) If the actor obtains a benefit or deprives another of a benefit
14 in the amount of \$75,000 or more, or the offense involves the
15 identity of five or more victims, the actor shall be guilty of a crime
16 of the second degree; or

17 (4) If the actor obtains a benefit or deprives another of a benefit
18 which has no pecuniary value and the offense involves the identity
19 of one victim, the actor shall be guilty of a disorderly persons
20 offense.

21 d. A violation of N.J.S.2C:28-7, constituting a disorderly
22 persons offense, section 1 of P.L.1979, c.264 (C.2C:33-15),
23 R.S.33:1-81 or section 6 of P.L.1968, c.313 (C.33:1-81.7) in a case
24 where the person uses the personal identifying information of
25 another to illegally purchase an alcoholic beverage or for using the
26 personal identifying information of another to misrepresent his age
27 for the purpose of obtaining tobacco or other consumer product
28 denied to persons under 18 years of age shall not constitute an
29 offense under this section if the actor received only that benefit or
30 service and did not perpetrate or attempt to perpetrate any
31 additional injury or fraud on another.

32 e. The sentencing court shall issue such orders as are necessary
33 to correct any public record or government document that contains
34 false information as a result of a theft of identity. The sentencing
35 court may provide restitution to the victim in accordance with the
36 provisions of section 4 of P.L.2002, c.85 (C.2C:21-17.1).

37 (cf: P.L.2005, c.224, s.2)

38

39 2. This act shall take effect immediately.

40

41

42

STATEMENT

43

44 This bill clarifies that a person is guilty of a crime under
45 N.J.S.2C:21-17, if that person engages in criminal impersonation or
46 identity theft involving the use of any electronic communications or
47 Internet websites. These acts include but are not limited to

A2105 COUGHLIN, QUIJANO

4

1 impersonating another or assuming a false identity for the purpose
2 of obtaining a benefit or injuring or defrauding another.

3 Currently, penalties under the statute range from a crime of the
4 fourth degree to a crime of the second degree, depending on the
5 monetary amount of the benefit involved and the number of victims.
6 The bill creates a disorderly persons offense if the benefit has no
7 pecuniary value and the offense involves the identity of one victim.

ASSEMBLY JUDICIARY COMMITTEE

STATEMENT TO

ASSEMBLY, No. 2105

with committee amendments

STATE OF NEW JERSEY

DATED: FEBRUARY 6, 2012

The Assembly Judiciary Committee reports favorably and with committee amendments Assembly Bill No. 2105.

Under N.J.S.2C:21-17, a person is guilty of an offense if he impersonates another, assumes a false identity, or obtains any personal identifying information pertaining to another person for the purpose of obtaining a benefit. Penalties range from a crime of the fourth degree to a crime of the second degree, depending on the monetary amount of the benefit involved and the number of victims. This bill clarifies that a person who engages in criminal impersonation or identity theft by any means, including but not limited to, the use of any electronic communications or Internet website, is also guilty of an offense under the statute. In addition, the bill in its original form created a new disorderly persons offense if a person impersonates another, assumes a false identity, or obtains any personal identifying information pertaining to one victim and there is no pecuniary value involved.

These amendments would narrow the scope of the new disorderly persons offense created by the bill. Under the amendments, it would be a disorderly persons offense *only* if a person impersonates another or assumes a false identity and by means of electronic communications or an Internet website does an act in such assumed character or false identity for the purpose of obtaining a benefit for himself or another which has no pecuniary value or for the purpose of injuring or defrauding another, and the offense involves one victim. If the offense results in bodily injury to another or significant mental suffering or distress, it would be a crime of the fourth degree.

COMMITTEE AMENDMENTS

1. Remove language in the bill from subsection c. of N.J.S.2C:21-17 that would have created a new disorderly persons offense if the actor obtains a benefit or deprives another of a benefit which has no pecuniary value and the offense involves the identity of one victim.

2. Add new subsection f. to N.J.S.2C:21-17 to create the following new offenses: If the actor impersonates another or assumes a false identity and by means of electronic communications or an Internet

website does an act in such assumed character or false identity for the purpose of obtaining a benefit for himself or another which has no pecuniary value or for the purpose of injuring or defrauding another, and the offense involves one victim, the actor shall be guilty of a disorderly persons offense. If the offense results in bodily injury to another or significant mental suffering or distress, the actor is guilty of a crime of the fourth degree.

3. Changes the synopsis to refer to the new disorderly persons offense.

STATEMENT TO
[First Reprint]
ASSEMBLY, No. 2105

with Assembly Floor Amendments
(Proposed by Assemblyman COUGHLIN)

ADOPTED: MAY 24, 2012

Under current law, a person is guilty of an offense under N.J.S.2C:21-17 if he impersonates another, assumes a false identity, or obtains any personal identifying information pertaining to another person for the purpose of obtaining a benefit. Penalties range from a crime of the fourth degree to a crime of the second degree, depending on the monetary amount of the benefit involved or the number of victims.

Currently, if a person obtains a benefit or deprives another of a benefit in an amount less than \$500 he is guilty of a crime of the fourth degree. The bill as amended by committee would have created a new disorderly persons offense and a new crime of the fourth degree. Under the bill as amended by committee, if a person impersonated another or assumed a false identity and by means of electronic communication or an Internet website did an act in such assumed character or false identity for the purpose of obtaining a benefit with no pecuniary value or for the purpose of injuring or defrauding another, and the offense involved one victim, it would have been a disorderly persons offense. If the offense resulted in bodily injury to another or significant mental suffering or distress, it would have been a crime of the fourth degree.

These floor amendments remove the language “for the purpose of obtaining a benefit for himself or another which has no pecuniary value” and create a new gradation scheme. Under the amendments, a person commits a disorderly persons offense if he impersonates another or assumes a false identity and by means of electronic communications or an Internet website does an act in such assumed character or false identity for the purpose of injuring or defrauding another, and the offense involves the identity of one or more victims. If the offense results in bodily injury to another or significant mental suffering or distress it would be a crime of the fourth degree.

The floor amendments do not address the situation where a person uses a pseudonym to protect his own identity for a lawful purpose, because it is the intent of the bill to encompass only the person who steals another’s identity in order to cause injury or to defraud.

SENATE JUDICIARY COMMITTEE

STATEMENT TO

[Second Reprint]
ASSEMBLY, No. 2105

STATE OF NEW JERSEY

DATED: DECEMBER 9, 2013

The Senate Judiciary Committee reports favorably Assembly Bill No. 2105 (2R).

This bill would establish a new category of offenses within the existing illegal acts of impersonation or theft of identity set forth under N.J.S.2C:21-17. This category would specifically address such acts done by means of electronic communications or an Internet website.

Pursuant to the bill, if an actor impersonated another or assumed a false identity and by means of electronic communications or an Internet website did an act in such assumed character or false identity for the purpose of injuring or defrauding another, the actor would be guilty of a disorderly persons offense. A disorderly persons offense is ordinarily punishable by a term of imprisonment of up to 6 months, a fine of up to \$1,000, or both. Such an act of illegal impersonation or theft of identity would be graded as a disorderly persons offense regardless of the number of victims' identities involved.

Additionally, regardless of the number of victims' identities involved, if that same act resulted in bodily injury to another or significant mental suffering or distress, the actor would instead be guilty of a crime of the fourth degree. A fourth degree crime is ordinarily punishable by a term of imprisonment of up to 18 months, and fine of up to \$10,000, or both.

The bill, as reported by the committee, is identical to Senate Bill No. 895 with committee amendments, also reported by the committee today.

STATEMENT TO
[Second Reprint]
ASSEMBLY, No. 2105

with Senate Floor Amendments
(Proposed by Senator VITALE)

ADOPTED: DECEMBER 19, 2013

These floor amendments eliminate from the bill the new proposed category of offenses for illegal acts of impersonation or theft of identity done by means of electronic communications or an Internet website. Such acts would have been graded as either a disorderly persons offense or fourth degree offense, based upon whether bodily injury or other harm resulted. As amended, the bill instead clarifies that, as to *existing* criminal acts of impersonation or theft of identity, a person is guilty of such criminal offense if conducted by any means, including but not limited to, the use of electronic communications or an Internet website.

SENATE, No. 895

STATE OF NEW JERSEY 215th LEGISLATURE

INTRODUCED JANUARY 17, 2012

Sponsored by:
Senator JOSEPH F. VITALE
District 19 (Middlesex)

SYNOPSIS

Clarifies that criminal impersonation committed by any means including electronic communications or Internet website shall be subject to criminal penalties.

CURRENT VERSION OF TEXT

As introduced.



1 AN ACT concerning impersonation via electronic means and
2 amending N.J.S.2C:21-17.

3

4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:

6

7 1. N.J.S.2C:21-17 is amended to read as follows:

8 a. A person is guilty of an offense if the person engages in one
9 or more of the following actions by any means including, but not
10 limited to, the use of electronic communications or an Internet
11 website:

12 (1) Impersonates another or assumes a false identity and does an
13 act in such assumed character or false identity for the purpose of
14 obtaining a benefit for himself or another or to injure or defraud
15 another;

16 (2) Pretends to be a representative of some person or
17 organization and does an act in such pretended capacity for the
18 purpose of obtaining a benefit for himself or another or to injure or
19 defraud another;

20 (3) Impersonates another, assumes a false identity or makes a
21 false or misleading statement regarding the identity of any person,
22 in an oral or written application for services, for the purpose of
23 obtaining services;

24 (4) Obtains any personal identifying information pertaining to
25 another person and uses that information, or assists another person
26 in using the information, in order to assume the identity of or
27 represent himself as another person, without that person's
28 authorization and with the purpose to fraudulently obtain or attempt
29 to obtain a benefit or services, or avoid the payment of debt or other
30 legal obligation or avoid prosecution for a crime by using the name
31 of the other person; or

32 (5) Impersonates another, assumes a false identity or makes a
33 false or misleading statement, in the course of making an oral or
34 written application for services, with the purpose of avoiding
35 payment for prior services. Purpose to avoid payment for prior
36 services may be presumed upon proof that the person has not made
37 full payment for prior services and has impersonated another,
38 assumed a false identity or made a false or misleading statement
39 regarding the identity of any person in the course of making oral or
40 written application for services.

41 As used in this section:

42 "Benefit" means, but is not limited to, any property, any
43 pecuniary amount, any services, any pecuniary amount sought to be
44 avoided or any injury or harm perpetrated on another where there is
45 no pecuniary value.

EXPLANATION – Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

1 b. (Deleted by amendment, P.L.2005, c.224).

2 c. A person who violates subsection a. of this section is guilty
3 of a crime as follows:

4 (1) If the actor obtains a benefit or deprives another of a benefit
5 in an amount less than \$500 and the offense involves the identity of
6 one victim, the actor shall be guilty of a crime of the fourth degree
7 except that a second or subsequent conviction for such an offense
8 constitutes a crime of the third degree; or

9 (2) If the actor obtains a benefit or deprives another of a benefit
10 in an amount of at least \$500 but less than \$75,000, or the offense
11 involves the identity of at least two but less than five victims, the
12 actor shall be guilty of a crime of the third degree; or

13 (3) If the actor obtains a benefit or deprives another of a benefit
14 in the amount of \$75,000 or more, or the offense involves the
15 identity of five or more victims, the actor shall be guilty of a crime
16 of the second degree.

17 d. A violation of N.J.S.2C:28-7, constituting a disorderly
18 persons offense, section 1 of P.L.1979, c.264 (C.2C:33-15),
19 R.S.33:1-81 or section 6 of P.L.1968, c.313 (C.33:1-81.7) in a case
20 where the person uses the personal identifying information of
21 another to illegally purchase an alcoholic beverage or for using the
22 personal identifying information of another to misrepresent his age
23 for the purpose of obtaining tobacco or other consumer product
24 denied to persons under 18 years of age shall not constitute an
25 offense under this section if the actor received only that benefit or
26 service and did not perpetrate or attempt to perpetrate any
27 additional injury or fraud on another.

28 e. The sentencing court shall issue such orders as are necessary
29 to correct any public record or government document that contains
30 false information as a result of a theft of identity. The sentencing
31 court may provide restitution to the victim in accordance with the
32 provisions of section 4 of P.L.2002, c.85 (C.2C:21-17.1).
33 (cf: P.L.2005, c.224, s.2)

34

35 2. This act shall take effect immediately.

36

37

38

STATEMENT

39

40 This bill amends the State's criminal code to clarify that a person
41 is guilty of the offense of criminal impersonation if the person
42 engages in one or more of the actions prohibited by N.J.S.2C:21-17
43 by any means including, but not limited to, electronic
44 communications or an Internet website.

45 As computers and electronic communication devices have
46 become more commonplace, banks, financial institutions, and other
47 businesses have encouraged their customers to create their own
48 electronic identities in order to engage in transactions electronically

S895 VITALE

4

1 via the Internet. While the use of electronic identities to transact
2 business provides greater convenience to customers and is more
3 cost effective for businesses, these identities include personal
4 identification information such as access codes and passwords that
5 may be misused by others who obtain such information and use it
6 for fraudulent purposes. This type of electronic fraud can cause
7 severe financial and emotional damages to persons whose identities
8 are stolen and illegally used by others.

9 This bill is intended to clarify that persons who engage in
10 criminal impersonation involving the use of any electronic
11 communications or Internet websites, shall be subject to the
12 penalties prescribed by N.J.S.2C:21-17.

SENATE JUDICIARY COMMITTEE

STATEMENT TO

SENATE, No. 895

with committee amendments

STATE OF NEW JERSEY

DATED: DECEMBER 9, 2013

The Senate Judiciary Committee reports favorably and with committee amendments Senate Bill No. 895.

This bill, as amended, would establish a new category of offenses within the existing illegal acts of impersonation or theft of identity set forth under N.J.S.2C:21-17. This category would specifically address such acts done by means of electronic communications or an Internet website.

Pursuant to the bill, if an actor impersonated another or assumed a false identity and by means of electronic communications or an Internet website did an act in such assumed character or false identity for the purpose of injuring or defrauding another, the actor would be guilty of a disorderly persons offense. A disorderly persons offense is ordinarily punishable by a term of imprisonment of up to 6 months, a fine of up to \$1,000, or both. Such an act of illegal impersonation or theft of identity would be graded as a disorderly persons offense regardless of the number of victims' identities involved.

Additionally, regardless of the number of victims' identities involved, if that same act resulted in bodily injury to another or significant mental suffering or distress, the actor would instead be guilty of a crime of the fourth degree. A fourth degree crime is ordinarily punishable by a term of imprisonment of up to 18 months, and fine of up to \$10,000, or both.

The bill, as amended and reported by the committee, is identical to Assembly Bill No. 2105(2R), also reported today by the committee.

The committee amendments to the bill:

- establish the aforementioned new category of offenses done by means of electronic communications or an Internet website; and
- make a technical update to the reference to the minimum age at which a person may obtain tobacco products, from 18 years of age to 19, to reflect the raising of this age pursuant to P.L.2005, c.384, as the current law makes reference to this age for purposes of exempting from certain harsher criminal liabilities any acts of impersonation or theft of identity for the sole purpose of obtaining tobacco products.

STATEMENT TO

[First Reprint]

SENATE, No. 895

with Senate Floor Amendments
(Proposed by Senator VITALE)

ADOPTED: DECEMBER 19, 2013

These floor amendments eliminate from the bill the new proposed category of offenses for illegal acts of impersonation or theft of identity done by means of electronic communications or an Internet website. Such acts would have been graded as either a disorderly persons offense or fourth degree offense, based upon whether bodily injury or other harm resulted. As amended, the bill instead clarifies that, as to *existing* criminal acts of impersonation or theft of identity, a person is guilty of such criminal offense if conducted by any means, including but not limited to, the use of electronic communications or an Internet website.