SENATE DOCKET, NO. 1817 FILED ON: 1/21/2011

SENATE . . . . . No. 91

The Commonwealth of Massachusetts

PRESENTED BY:

Sonia Chang-Diaz

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying:

An Act regarding identity fraud..

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Sonia Chang-Diaz	☐ *[District]* ☐
Thomas P. Kennedy	☐ *[District]* ☐
Jason M. Lewis	*31st Middlesex*

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SENATE . . . . . No. 91

By Ms. Chang-Diaz, a petition (accompanied by bill, Senate, No. 91) of Sonia Chang-Diaz, Thomas P. Kennedy and Jason M. Lewis for legislation relative to identity fraud. Consumer Protection and Professional Licensure.

The Commonwealth of Massachusetts

An Act regarding identity fraud..

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Chapter 24A of the General Laws, as appearing in the 2008 Official Edition, is hereby amended by inserting after section 5 the following section:-

Section 6. Division of Privacy Protection.

There shall be a division of privacy protection within the office of consumer affairs and business regulation. Notwithstanding any general or special law to the contrary, the director of consumer affairs and business regulation, in consultation with the attorney general, shall create a centralized repository to log complaints of identity fraud, refer processed complaints to local law enforcement officials, and adopt rules and regulations regarding topics which may include, but not be limited to, the intake, investigation and prosecution of identity fraud, consistent with this section and designed to benefit consumers. The director of consumer affairs and business regulation, in consultation with the attorney general, shall collect data from local police departments regarding identity fraud regarding topics which may include, but not be limited to, the intake, investigation and prosecution of identity fraud, consistent with this section and designed to benefit consumers.

SECTION 2. Section 37E of chapter 266 of the General Laws, as appearing in the 2008 Official Edition, is hereby amended by inserting after subsection (f) the following subsection:-

(g) If the crime is reported in a jurisdiction other than where the victim resides, the local law enforcement agency receiving the report shall refer the matter to the law enforcement agency where the victim resides. Upon receipt of the police incident report, the local enforcement agency shall begin an investigation of the facts. The investigation shall remain open until the perpetrator is apprehended.