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**SUBSTITUTE HOUSE BILL 2054**

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**State of Washington                      60th Legislature                      2007 Regular Session**

**By** House Committee on Public Safety & Emergency Preparedness  
(originally sponsored by Representatives Goodman, O'Brien, Williams,  
Springer, Dunshee, Simpson, Lovick, Roach, Kelley, Green, Roberts and  
Hurst)

READ FIRST TIME 02/19/07.

1            AN ACT Relating to reporting identity theft cases; adding a new  
2 section to chapter 43.43 RCW; and adding a new section to chapter 9.35  
3 RCW.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5            NEW SECTION.    **Sec. 1.** A new section is added to chapter 43.43 RCW  
6 to read as follows:

7            (1) The Washington state patrol shall create and maintain a call  
8 center and a statewide web site that shall be available for the filing  
9 of incident reports relating to identity crimes under chapter 9.35 RCW.

10           (2) The web site shall contain instructions to the general public  
11 on how to utilize the web site to create and file an incident report  
12 relating to identity theft. At a minimum, when filing an incident  
13 report, the web site shall request, but is not limited to: The name of  
14 the person completing the form, the complainant's name, address, phone  
15 number, date and place that the incident may have occurred, a  
16 description of the identity theft crime that has taken place, and any  
17 other information that is deemed necessary according to the Washington  
18 state patrol.

1 (3) The call center shall take all relevant information regarding  
2 the complainant's identity theft-related case for the creation of an  
3 incident report. At a minimum, when filing an incident report, the  
4 call center shall request, but is not limited to: The name of the  
5 person completing the form, the complainant's name, address, phone  
6 number, date and place that the incident may have occurred, a  
7 description of the identity theft crime that has taken place, and any  
8 other information that is deemed necessary according to the Washington  
9 state patrol. The call center shall be open and available to the  
10 public twenty-four hours a day.

11 (4) The Washington state patrol must provide the complainant with  
12 a response, a case number, and copy of any incident report filed by  
13 phone or via internet within forty eight hours.

14 NEW SECTION. **Sec. 2.** A new section is added to chapter 9.35 RCW  
15 to read as follows:

16 (1) A person who has learned or reasonably suspects that his or her  
17 financial information or means of identification has been unlawfully  
18 obtained, used by, or disclosed to another, as described in this  
19 chapter, may file an incident report with the Washington state patrol  
20 via the call center or web site established in section 1 of this act.  
21 The Washington state patrol shall create a police incident report of  
22 the matter, provide the complainant with a copy of that report with a  
23 corresponding case number within forty-eight hours, and may refer the  
24 incident report to another appropriate law enforcement agency.

25 (2) Nothing in this section shall be construed to require a law  
26 enforcement agency to investigate reports claiming identity theft. An  
27 incident report filed under this section is not required to be counted  
28 as an open case for purposes of compiling open case statistics.

29 (3) Nothing in this section shall be construed to prohibit a person  
30 from filing an incident report with a law enforcement agency other than  
31 the Washington state patrol.

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