
HOUSE BILL 2636

State of Washington

60th Legislature

2008 Regular Session

By Representatives Pearson, O'Brien, Ericks, Ross, Hasegawa, VanDeWege, Kenney, Morrell, Roach, McDonald, and Simpson; by request of Attorney General

Prefiled 01/11/08. Read first time 01/14/08. Referred to Committee on Public Safety & Emergency Preparedness.

1 AN ACT Relating to identity theft; adding a new section to chapter
2 9.35 RCW; and creating a new section.

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

4 NEW SECTION. **Sec. 1.** The legislature finds that victims of
5 identity theft who try to file police incident reports in either the
6 jurisdiction where any part of the crime occurred, or in the
7 jurisdiction in which the victim resides, are sometimes prohibited by
8 the police department from doing so. Several statutes previously
9 passed by the legislature require a victim of identity theft to possess
10 and display a police incident report as a condition of enforcing the
11 rights provided by certain statutes. A police incident report is
12 necessary for an identity theft victim to exercise certain state and
13 federal rights, and is helpful in asserting the rights of others.

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

1 chapter, may file an incident report with a law enforcement agency, by
2 contacting the local law enforcement agency that has jurisdiction over
3 his or her actual residence, place of business, or place where the
4 crime occurred. The law enforcement agency shall create a police
5 incident report of the matter and provide the complainant with a copy
6 of that report, and may refer the incident report to another law
7 enforcement agency.

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

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