

**HB 2638-S - DIGEST**

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Provides that a person is guilty of identity theft in the second degree when he or she violates RCW 9.35.020(1) under circumstances not amounting to identity theft in the first degree.

Provides that each crime prosecuted under this act shall be punished separately under chapter 9.94A RCW, unless it is the same criminal conduct as any other crime, under RCW 9.94A.589.

Provides that whenever any series of transactions involving a single person's means of identification or financial information which constitute identity theft would, when considered separately, constitute identity theft in the second degree because of value, and the series of transactions are a part of a common scheme or plan, then the transactions may be aggregated in one count and the sum of the value of all of the transactions shall be the value considered in determining the degree of identity theft involved.

Provides that every person who, in the commission of identity theft, shall commit any other crime may be punished therefor as well as for the identity theft, and may be prosecuted for each crime separately.