

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)



119th MAINE LEGISLATURE

FIRST REGULAR SESSION-1999

Legislative Document

No. 224

H.P. 162

House of Representatives, January 11, 1999

An Act to Prohibit the Taking of Another Person's Legal Identification.

Reference to the Committee on Criminal Justice suggested and ordered printed.

A handwritten signature in black ink that reads "Joseph W. Mayo".

JOSEPH W. MAYO, Clerk

Presented by Representative LaVERDIERE of Wilton.
Cosponsored by Senator MILLS of Somerset and
Representatives: BERRY of Belmont, JABAR of Waterville, KNEELAND of Easton,
MURPHY of Kennebunk, MUSE of South Portland, NORBERT of Portland, O'NEIL of
Saco, Senator: BENOIT of Franklin.

2 **Be it enacted by the People of the State of Maine as follows:**

4 **Sec. 1. 14 MRSA §153-A is enacted to read:**

6 **§153-A. Defense in action based on misuse of legal identification**

8 It is a defense to any civil action for monetary damages
10 that the damages arose from the misuse of a form of legal
12 identification and the use of that identification has resulted in
14 the conviction of a person other than the defendant under Title
16 17-A, section 905-A.

18 **Sec. 2. 17-A MRSA §905-A is enacted to read:**

20 **§905-A. Misuse of legal identification**

22 1. A person is guilty of misuse of legal identification if
24 the person intentionally or knowingly presents or uses a form of
26 legal identification that is stolen or forged.

28 2. Misuse of legal identification is a Class D crime.

30 **SUMMARY**

32 This bill creates the crime of misuse of legal
34 identification. The crime is committed if a person intentionally
36 or knowingly presents or uses a form of legal identification that
is stolen or forged. The penalty classification for the crime is
Class D.

A person who has suffered economic loss as the result of
this crime may receive restitution from the offender under
current provisions of the Maine Criminal Code. The bill also
makes it a defense to a civil action seeking monetary damages
that the action is based on the misuse of a legal identification
for which another person has been convicted.