

MAINE STATE LEGISLATURE

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119th MAINE LEGISLATURE

FIRST REGULAR SESSION-1999

Legislative Document

No. 650

S.P. 228

In Senate, January 26, 1999

An Act to Amend the Crime of Theft by Deception to Include False Impressions as to Identity.

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

A handwritten signature in cursive script that reads "Joy J. O'Brien".

JOY J. O'BRIEN
Secretary of the Senate

Presented by Senator MacKINNON of York.
Cosponsored by Representative McALEVEY of Waterboro and
Senators: BENOIT of Franklin, KIEFFER of Aroostook, Representatives: BOWLES of
Sanford, MacDOUGALL of North Berwick, MURPHY of Berwick, WHEELER of Eliot.

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

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Sec. 1. 17-A MRSA §354, sub-§2, ¶A, as enacted by PL 1975, c.
4 499, §1, is amended to read:

6 A. Creates or reinforces an impression ~~which~~ that is false
and ~~which~~ that the person does not believe to be true,
8 including false impressions as to identity, law, value,
knowledge, opinion, intention or other state of mind.
10 ~~Provided, however,;~~ except that an intention not to perform
a promise, or knowledge that a promise will not be
12 performed, ~~shall~~ may not be inferred from the fact alone
that the promise was not performed;

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SUMMARY

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This bill amends the current crime of theft by deception to
make it clear that the crime is committed when a person obtains
20 the property of another as a result of intentionally creating a
false impression as to the offender's identity. The crime is
22 committed when, for example, utility services or credit is
obtained through the intentional creation of the false impression
24 as to identity.