

MAINE STATE LEGISLATURE

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Date: 4/7/8

L.D. 2220
(Filing No. H-958)

JUDICIARY

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**STATE OF MAINE
HOUSE OF REPRESENTATIVES
123RD LEGISLATURE
FIRST SPECIAL SESSION**

COMMITTEE-AMENDMENT "A" to H.P. 1586, L.D. 2220, Bill, "An Act To Aid Victims of Identity Theft in Securing a Police Report and To Aid Victims in Court Proceedings When Their Identities Have Been Stolen and Falsely Used"

Amend the bill by striking out the title and substituting the following:

'An Act To Aid Victims of Identity Theft in Securing a Police Report'

Amend the bill by inserting after the title and before the enacting clause the following:

'Mandate preamble. This measure requires one or more local units of government to expand or modify activities so as to necessitate additional expenditures from local revenues but does not provide funding for at least 90% of those expenditures. Pursuant to the Constitution of Maine, Article IX, Section 21, 2/3 of all of the members elected to each House have determined it necessary to enact this measure.'

Amend the bill by striking out all of section 2.

SUMMARY

This amendment deletes section 2 of the bill, which proposed a procedure to obtain a finding of factual innocence when a person's identity is stolen and falsely used in a court prosecution. It adds a mandate preamble and a fiscal note.

**FISCAL NOTE REQUIRED
(See attached)**

COMMITTEE AMENDMENT



123rd MAINE LEGISLATURE

LD 2220

LR 3446(02)

An Act To Aid Victims of Identity Theft in Securing a Police Report and To Aid Victims in Court Proceedings When Their Identities Have Been Stolen and Falsely Used

Fiscal Note for Bill as Amended by Committee Amendment "A"

Committee: Judiciary

Fiscal Note Required: Yes

Fiscal Note

State Mandate - Exempted

State Mandates

Required Activity

Requiring a law enforcement agency to make a police report of identity theft and provide the complainant with a copy of that report is a state mandate pursuant to the Maine constitution. Pursuant to the Mandate Preamble, the two-thirds vote of all members elected to each House exempts the State from the constitutional requirement to fund 90% of the additional local costs.

Unit Affected

Municipality
County

Costs

Insignificant

Fiscal Detail and Notes

Additional costs to the Department of Public Safety, State Police will be absorbed within existing budgeted resources.