

West's Annotated Mississippi Code

Title 97. Crimes

Chapter 45. Computer Crimes and Identity Theft (Refs & Annos)

Miss. Code Ann. § 97-45-19

§ 97-45-19. Identity theft

Currentness

(1) A person shall not obtain or attempt to obtain personal identity information of another person with the intent to unlawfully use that information for any of the following purposes without that person's authorization:

- (a) To obtain financial credit.
- (b) To purchase or otherwise obtain or lease any real or personal property.
- (c) To obtain employment.
- (d) To obtain access to medical records or information contained in medical records.
- (e) To commit any illegal act.

(2)(a) A person who violates this section is guilty of a felony punishable by imprisonment for not less than two (2) nor more than fifteen (15) years or a fine of not more than Ten Thousand Dollars (\$10,000.00), or both.

(b) Notwithstanding the provisions of paragraph (a) of this subsection (2), if the violation involves an amount of less than Two Hundred Fifty Dollars (\$250.00), a person who violates this section may be found guilty of a misdemeanor punishable by imprisonment in the county jail for a term of not more than six (6) months, or by a fine of not more than One Thousand Dollars (\$1,000.00), or both, in the discretion of the court.

(c) For purposes of determining the amount of the violation, the value of all goods, property, services and other things of value obtained or attempted to be obtained by the use of an individual's identity information shall be aggregated.

(3) This section does not prohibit the person from being charged with, convicted of, or sentenced for any other violation of law committed by that person using information obtained in violation of this section.

(4) This section does not apply to a person who obtains or attempts to obtain personal identity information of another person pursuant to the discovery process of a civil action, an administrative proceeding or an arbitration proceeding.

(5) Upon the request of a person whose identifying information was appropriated, the Attorney General may provide assistance to the victim in obtaining information to correct inaccuracies or errors in the person's credit report or other identifying information; however, no legal representation shall be afforded such person by the Office of the Attorney General.

(6) A person convicted under this section or under [Section 97-19-85](#) shall be ordered to pay restitution as provided in [Section 99-37-1 et seq.](#), and any legal interest in addition to any other fine or imprisonment which may be imposed.

Credits

Added by [Laws 2003, Ch. 562, § 8, eff. July 1, 2003](#). Amended by [Laws 2004, Ch. 526, § 1, eff. July 1, 2004](#). Brought forward by [Laws 2014, Ch. 457 \(H.B. No. 585\), § 35, eff. July 1, 2014](#).

Miss. Code Ann. § 97-45-19, MS ST § 97-45-19

The Statutes and Constitution are current through the End of the 2016 First Extraordinary Session and laws from the 2016 Regular Session effective upon passage as approved through April 4, 2016. The statutes are subject to changes provided by the Joint Legislative Committee on Compilation, Revision and Publication of Legislation.

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