

111TH CONGRESS  
2D SESSION

# H. R. 5408

To amend title 18, United States Code, to change the state of mind requirement for certain identity theft offenses, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

MAY 26, 2010

Mr. GOODLATTE (for himself, Mr. SCHIFF, Mr. SMITH of Texas, and Mr. PUTNAM) introduced the following bill; which was referred to the Committee on the Judiciary

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## A BILL

To amend title 18, United States Code, to change the state of mind requirement for certain identity theft offenses, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “Identity Theft Im-  
5       provement Act of 2010”.

6       **SEC. 2. STATE OF MIND REQUIREMENT FOR IDENTITY**  
7       **THEFT AND AGGRAVATED IDENTITY THEFT.**

8       Section 1028 of title 18, United States Code, is  
9       amended by adding at the end the following:

1       “(j) STATE OF MIND PROOF REQUIREMENT.—In a  
2 prosecution under subsection (a)(7) or under section  
3 1028A(a), the Government need not prove that the de-  
4 fendant knew the means of identification was of another  
5 person.”.

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