

SENATE, No. 1526

STATE OF NEW JERSEY 222nd LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2026 SESSION

Sponsored by:

Senator CARMEN F. AMATO, JR.

District 9 (Ocean)

Senator PAUL A. SARLO

District 36 (Bergen and Passaic)

Co-Sponsored by:

**Senators Turner, McKnight, Holzapfel, Johnson, O'Scanlon, Henry,
Beach, Timberlake, Wimberly, Gopal and Greenstein**

SYNOPSIS

Increases penalties for identity theft when victim is a senior citizen or veteran.

CURRENT VERSION OF TEXT

As reported by the Senate Law and Public Safety Committee with technical review.



(Sponsorship Updated As Of: 6/18/2026)

1 AN ACT concerning identity theft penalties and amending
2 N.J.S.2C:21-17 and P.L.2003, c.184.

3

4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:

6

7 1. N.J.S.2C:21-17 is amended to read as follows:

8 2C:21-17. Impersonation; Theft of identity; crime.

9 a. A person is guilty of a crime if the person engages in one or
10 more of the following actions by any means including, but not
11 limited to, the use of electronic communications or an Internet
12 website:

13 (1) **【Impersonates】** impersonates another or assumes a false
14 identity and does an act in such assumed character or false identity
15 for the purpose of obtaining a benefit for himself or another or to
16 injure or defraud another;

17 (2) **【Pretends】** pretends to be a representative of some person or
18 organization and does an act in such pretended capacity for the
19 purpose of obtaining a benefit for himself or another or to injure or
20 defraud another;

21 (3) **【Impersonates】** impersonates another, assumes a false
22 identity or makes a false or misleading statement regarding the
23 identity of any person, in an oral or written application for services,
24 for the purpose of obtaining services;

25 (4) **【Obtains】** obtains any personal identifying information
26 pertaining to another person and uses that information, or assists
27 another person in using the information, in order to assume the
28 identity of or represent himself as another person, without that
29 person's authorization and with the purpose to fraudulently obtain
30 or attempt to obtain a benefit or services, or avoid the payment of
31 debt or other legal obligation or avoid prosecution for a crime by
32 using the name of the other person; or

33 (5) **【Impersonates】** impersonates another, assumes a false
34 identity or makes a false or misleading statement, in the course of
35 making an oral or written application for services, with the purpose
36 of avoiding payment for prior services. Purpose to avoid payment
37 for prior services may be presumed upon proof that the person has
38 not made full payment for prior services and has impersonated
39 another, assumed a false identity or made a false or misleading
40 statement regarding the identity of any person in the course of
41 making oral or written application for services.

42 As used in this section:

43 "Benefit" means, but is not limited to, any property, any
44 pecuniary amount, any services, any pecuniary amount sought to be

EXPLANATION – Matter enclosed in bold-faced brackets **【thus】** in the above bill is
not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

1 avoided or any injury or harm perpetrated on another where there is
2 no pecuniary value.

3 “Senior citizen” means a natural person 62 years of age or older.

4 “Veteran” means any citizen and resident of this State honorably
5 discharged or released under honorable circumstances from the
6 active military service of the United States.

7 b. (Deleted by amendment, P.L.2005, c.224).

8 c. A person who violates subsection a. of this section is guilty
9 of a crime as follows:

10 (1) **[If]** if the actor obtains a benefit or deprives another of a
11 benefit in an amount less than \$500 and the offense involves the
12 identity of one victim, the actor shall be guilty of a crime of the
13 fourth degree except that a second or subsequent conviction for
14 such an offense constitutes a crime of the third degree, except that if
15 the victim is a senior citizen or a veteran, a first offense constitutes
16 a crime of the third degree and a second or subsequent offense
17 constitutes a crime of the second degree; or

18 (2) **[If]** if the actor obtains a benefit or deprives another of a
19 benefit in an amount of at least \$500 but less than \$75,000, or the
20 offense involves the identity of at least two but less than five
21 victims, the actor shall be guilty of a crime of the third degree,
22 except that if any of the victims is a senior citizen or a veteran, the
23 offense constitutes a crime of the second degree; or

24 (3) **[If]** if the actor obtains a benefit or deprives another of a
25 benefit in the amount of \$75,000 or more, or the offense involves
26 the identity of five or more victims, the actor shall be guilty of a
27 crime of the second degree, except that if any of the victims is a
28 senior citizen or a veteran, the offense constitutes a crime of the
29 first degree.

30 d. A violation of N.J.S.2C:28-7, constituting a disorderly
31 persons offense, section 1 of P.L.1979, c.264 (C.2C:33-15), section
32 64 of P.L.2021, c.16 (C.2C:35-10d), R.S.33:1-81 or section 6 of
33 P.L.1968, c.313 (C.33:1-81.7) in a case where the person uses the
34 personal identifying information of another to illegally purchase an
35 alcoholic beverage or for using the personal identifying information
36 of another to misrepresent the person's age for the purpose of
37 obtaining tobacco, any cannabis item, or other consumer product
38 denied to persons under 21 years of age shall not constitute an
39 offense under this section if the actor received only that benefit or
40 service and did not perpetrate or attempt to perpetrate any
41 additional injury or fraud on another.

42 e. The sentencing court shall issue such orders as are necessary
43 to correct any public record or government document that contains
44 false information as a result of a theft of identity. The sentencing
45 court may provide restitution to the victim in accordance with the
46 provisions of section 4 of P.L.2002, c.85 (C.2C:21-17.1).

47 (cf: P.L. 2021, c.25, s.14)

1 2. Section 6 of P.L.2003, c.184 (C.2C:21-17.3) is amended to
2 read as follows:

3 6. a. A person who knowingly distributes, manufactures or
4 possesses any item containing personal identifying information
5 pertaining to another person, without that person's authorization,
6 and with knowledge that the actor is facilitating a fraud or injury to
7 be perpetrated by anyone is guilty of a crime of the fourth degree ,
8 except in cases where the item containing personal identifying
9 information was obtained through records owned or maintained by a
10 continuing care retirement community, nursing home, retirement
11 community, or veterans' facility, the offense shall constitute a crime
12 of the third degree.

13 b. (1) If the person distributes, manufactures or possesses 20
14 or more items containing personal identifying information
15 pertaining to another person, or five or more items containing
16 personal information pertaining to five or more separate persons,
17 without authorization, and with knowledge that the actor is
18 facilitating a fraud or injury to be perpetrated by anyone the person
19 is guilty of a crime of the third degree , except in cases where the
20 items containing personal identifying information were obtained
21 through records owned or maintained by a continuing care
22 retirement community, nursing home, retirement community, or
23 veterans' facility, the offense shall constitute a crime of the second
24 degree.

25 (2) If the person distributes, manufactures or possesses 50 or
26 more items containing personal identifying information pertaining
27 to another person, or ~~ten~~ 10 or more items containing personal
28 identifying information pertaining to five or more separate persons,
29 without authorization, and with knowledge that the actor is
30 facilitating a fraud or injury to be perpetrated by anyone the person
31 is guilty of a crime of the second degree , except in cases where the
32 items containing personal identifying information were obtained
33 through records owned or maintained by a continuing care
34 retirement community, nursing home, retirement community, or
35 veterans' facility, the offense shall constitute a crime of the first
36 degree.

37 c. Distribution, manufacture or possession of 20 or more items
38 containing personal identifying information pertaining to another
39 person or of items containing personal identifying information
40 pertaining to five or more separate persons without authorization
41 shall create an inference that the items were distributed,
42 manufactured or possessed with knowledge that the actor is
43 facilitating a fraud or injury to be perpetrated by anyone.

44 d. As used in this section:

45 "Continuing care retirement community" means a residential
46 facility primarily for retired persons where lodging and nursing,
47 medical or other health related services at the same or another
48 location are provided as continuing care to an individual pursuant to

1 an agreement effective for the life of the individual or for a period
2 greater than one year, including mutually terminable contracts, and
3 in consideration of the payment of an entrance fee with or without
4 other periodic charges.

5 “Distribute” means, but is not limited to, any sale, purchase,
6 transfer, gift, delivery, or provision to another, regardless of
7 whether the distribution was for compensation.

8 “Item” means a writing or document, whether issued by a
9 governmental agency or made by any business or person, recorded
10 by any method that contains personal identifying information. Item
11 includes, but is not limited to, an access device, book, check, paper,
12 card, instrument, or information stored in electronic form by way of
13 e-mail or otherwise, on any computer, computer storage medium,
14 computer program, computer software, computer equipment,
15 computer system or computer network or any part thereof, or by
16 other mechanical or electronic device such as cellular telephone,
17 pager or other electronic device capable of storing information.

18 “Nursing home” means a facility providing therein nursing care
19 to sick, invalid, infirm, disabled or convalescent persons in addition
20 to lodging and board or health-related service, or any combination
21 of the foregoing and in addition thereto, providing nursing care and
22 health-related service, or either of them, to persons who are not
23 occupants of the facility.

24 “Retirement community” means a retirement community which
25 is registered with the Division of Housing and Community
26 Resources in the Department of Community Affairs pursuant to
27 “The Planned Real Estate Development Full Disclosure Act,”
28 P.L.1977, c.419 (C.45:22A-21 et seq.).

29 “Veterans’ facility” means any home, institution, hospital, or
30 part thereof, the admission to which is under the jurisdiction of the
31 Department of Veterans’ Affairs.

32 (cf: P.L.2003, c.184, s.6)

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34 3. This act shall take effect on the first day of the fourth month
35 following enactment.