

17-94. – Identity theft.

A. A person commits the offense of identity theft if he or she knowingly and with the intent to deceive or defraud obtains, possesses, transfers, uses, or attempts to obtain, transfer or use, one or more means of identification not lawfully issued for his or her use.

B. This section shall not apply to the following activities:

1. A person obtains the identity of another person to misrepresent his or her age for the sole purpose of obtaining alcoholic beverages, tobacco, going to a gaming establishment, or another privilege denied to minors;
2. A person obtains means of identification or information in the course of a bona fide consumer or commercial transaction;
3. A person exercises, in good faith, a security interest or right of offset by a creditor or financial institution;
4. A person complies, in good faith, with any warrant, court order, levy, garnishment, attachment, or other judicial or administrative order, decree, or directive, when any party is required to do so;
5. A person is otherwise authorized by law to engage in the conduct that is the subject of the prosecution.

**State Law reference** -- Similar provisions, RSMo 570.223.