

## Legislation Text

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**File #:** BILL NO. 17-105, **Version:** 1

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AN ORDINANCE AMENDING CHAPTER 17, ARTICLE IV OFFENSES AGAINST PROPERTY OF THE CODE OF ORDINANCES OF THE CITY OF LEE'S SUMMIT, MISSOURI BY ENACTING A NEW SECTION 17-94 TO PROHIBIT IDENTITY THEFT AND REPEALING, SECTION 17-81 DEFINITIONS AND ENACTING IN LIEU THEREOF A NEW SECTION 17-81 DEFINITIONS, OF LIKE NUMBER AND SUBJECT. (CEDC 5/10/17)

### Issue/Request

AN ORDINANCE AMENDING CHAPTER 17, ARTICLE IV OFFENSES AGAINST PROPERTY OF THE CODE OF ORDINANCES OF THE CITY OF LEE'S SUMMIT, MISSOURI BY ENACTING A NEW SECTION 17-94 TO PROHIBIT IDENTITY THEFT AND REPEALING, SECTION 17-81 DEFINITIONS AND ENACTING IN LIEU THEREOF A NEW SECTION 17-81 DEFINITIONS, OF LIKE NUMBER AND SUBJECT.

### Key Issues:

With the passage of this bill, the City of Lee's Summit will have the ability to prosecute in the Lee's Summit Municipal Court identity theft cases involving theft amounts below \$750.00. Currently the City of Lee's Summit does not have an ordinance concerning identity theft and all cases are submitted to the State for prosecution. Due to high case loads at the State level, many identity theft cases that do not make the \$750 felony threshold amount are referred back to the City. Without an identity theft ordinance substantially similar to state law, the City is unable to prosecute lower level identity theft violations.

Section 17-94 states the offense of identity theft. Section 17-81 is the Definition section and the proposed ordinance provides updates to further define words used in the identity theft offense and offenses against property article.

### Proposed Council Motion:

FIRST MOTION: I move for second reading of AN ORDINANCE AMENDING CHAPTER 17, ARTICLE IV OFFENSES AGAINST PROPERTY OF THE CODE OF ORDINANCES OF THE CITY OF LEE'S SUMMIT, MISSOURI BY ENACTING A NEW SECTION 17-94 TO PROHIBIT IDENTITY THEFT AND REPEALING, SECTION 17-81 DEFINITIONS AND ENACTING IN LIEU THEREOF A NEW SECTION 17-81 DEFINITIONS, OF LIKE NUMBER AND SUBJECT.

SECOND MOTION: I move for adoption of AN ORDINANCE AMENDING CHAPTER 17, ARTICLE IV OFFENSES AGAINST PROPERTY OF THE CODE OF ORDINANCES OF THE CITY OF LEE'S SUMMIT, MISSOURI BY ENACTING A NEW SECTION 17-94 TO PROHIBIT IDENTITY THEFT AND REPEALING, SECTION 17-81 DEFINITIONS AND ENACTING IN LIEU THEREOF A NEW SECTION 17-81 DEFINITIONS, OF LIKE NUMBER AND SUBJECT.

### Impact/Analysis:

The general penalty provision for ordinance violations will apply to the passage of an identify theft ordinance. The penalty will include a fine not more than \$500 and/or incarceration not more than 90 days.

Presenter: Major Mark Taylor

Recommendation: Staff recommends passage

Committee Recommendation: [Enter Committee Recommendation text Here]

PSAB approved a motion supporting passage of an identity theft ordinance during its April 2017 meeting.