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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2026

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A N A C T

RELATING TO CRIMINAL OFFENSES -- IMPERSONATION AND IDENTITY FRAUD

Introduced By: Representative Joseph J. Solomon

Date Introduced: February 27, 2026

Referred To: House Judiciary

It is enacted by the General Assembly as follows:

1 SECTION 1. Sections 11-49.1-2, 11-49.1-3 and 11-49.1-4 of the General Laws in Chapter
2 11-49.1 entitled "Impersonation and Identity Fraud" are hereby amended to read as follows:

3 **11-49.1-2. Definitions.**

4 As used in this chapter:

5 (1) "Document-making implement" means any implement, impression, electronic device,
6 or computer hardware or software, that is specifically configured or primarily used for making an
7 identification document, a false identification document, or another document-making implement;

8 (2) "Identification document" means a document made or card issued by or under the
9 authority of the United States Government, a state, political subdivision of a state, a foreign
10 government, political subdivision of a foreign government, an international governmental or an
11 international quasi-governmental organization which, when completed with information
12 concerning a particular individual, is of a type intended or commonly accepted for the purpose of
13 identification of individuals;

14 (3) "Digital forgery" means a person:

15 (i) Participates in the generation, creation, or distribution of a forged digital likeness of a
16 person or entity as genuine to facilitate fraud; and

17 (ii) Knows or reasonably should know the visual representation or audio recording is a
18 forged digital likeness.

19 (4) "Forged digital likeness" means a computer- or other electronic system-generated visual

1 representation of an actual and identifiable individual or audio recording of an actual and
2 identifiable individual's voice that:

3 (i) Has been created, adapted or modified to closely resemble a genuine visual
4 representation or audio record of the individual;

5 (ii) Is likely to deceive a reasonable person to believe that the visual representation or audio
6 recording is genuine;

7 (iii) Is created and distributed without the consent of the depicted individual; and

8 (iv) The creation and distribution without the consent of the depicted individual or entity
9 is not otherwise protected by state or federal law.

10 (5) "Entity" means any corporation, limited liability company, trust, estate, partnership,
11 incorporated or unincorporated association or organization, and any other legal entity or
12 combination of entities, including any state, or municipal government and any subdivision, branch,
13 department, or agency thereof.

14 ~~(3)~~(6) "Means of identification" means any name, ~~or~~ number, or other data unique to a
15 person or entity that may be used, alone or in conjunction with any other information, to identify a
16 specific individual or entity, including any:

17 (i) Name, social security number, date of birth, official state or government issued driver's
18 license or identification number, alien registration number, government passport number, employer
19 or taxpayer identification number, logo, trademark, or other mark used to identify an entity;

20 (ii) Unique biometric data, such as fingerprint, voice print, retina or iris image, or other
21 unique physical representation;

22 (iii) Unique electronic identification number, address, or routing code; or

23 (iv) Telecommunication identifying information or access device as defined in 18 U.S.C.
24 § 1029(e).

25 (4) "Produce" means to manufacture, alter, authenticate, or assemble an identification
26 document;

27 (5) "State" includes any state of the United States, the District of Columbia, the
28 Commonwealth of Puerto Rico, and any other commonwealth, possession, or territory of the United
29 States; and

30 (6) "Financial information" means any of the following information identifiable to an
31 individual that concerns the amount and/or condition of an individual's assets, liabilities or credit:

32 (i) Account numbers and balances;

33 (ii) Transactional information concerning any account; or

34 (iii) Codes, passwords, social security numbers, tax identification numbers, driver's license

1 numbers or any other information held for the purpose of account access or transaction initiation
2 or processing.

3 (7) "Elderly adult" means a person sixty (60) years of age or older.

4 **11-49.1-3. Identity fraud.**

5 (a) Any person who shall:

6 (1) ~~knowingly~~ Knowingly and without lawful authority produce an identification document
7 or a false identification document;

8 (2) ~~knowingly~~ Knowingly transfer an identification document or a false identification
9 document knowing that the document was ~~stolen~~ obtained or produced without lawful authority;

10 (3) ~~knowingly~~ Knowingly possess with intent to use unlawfully or transfer unlawfully ~~five~~
11 ~~(5) or more~~ identification documents (other than those issued lawfully for the use of the possessor)
12 or false identification documents;

13 (4) ~~knowingly~~ Knowingly possess an identification document (other than one issued
14 lawfully for the use of the possessor) or a false identification document, or financial information
15 with the intent that the document or financial information be used to defraud the United States, the
16 State of Rhode Island, any political subdivision of it or any public or private entity or person;

17 (5) ~~knowingly~~ Knowingly transfer, or possess a document-making implement with the
18 intent that the document-making implement will be used in the production of a false identification
19 document or another document-making implement which will be so used;

20 (6) ~~knowingly~~ Knowingly possess a false identification document that is or appears to be
21 a genuine identification document of the United States, the State of Rhode Island or any political
22 subdivision of it or any public or private entity or person, living or dead which is stolen or produced
23 without lawful authority knowing that the document was stolen or produced without such authority;

24 ~~or~~

25 (7) Knowingly impersonate an entity or person, living or dead, with intent to defraud or
26 injure any individual, business, or the State of Rhode Island, any political subdivision thereof, or
27 any city or town;

28 (8) Knowingly engage in digital forgery; or

29 ~~(7)(9)~~ ~~knowingly~~ Knowingly transfer or use with intent to defraud, without lawful
30 authority, a means of identification or financial information of another person living or dead, with
31 the intent to commit, or to aid or abet, any unlawful activity that constitutes a violation of federal,
32 state or local law; shall be guilty of a felony and shall be subject to the penalties set forth in § 11-
33 49.1-4.

34 (b) The provisions of this section shall not apply to any person who has not reached his or

1 her twenty-first (21st) birthday who misrepresents or misstates his or her age through the
2 presentation of any document in order to enter any premises licensed for the retail sale of alcoholic
3 beverages for the purpose of purchasing or having served or delivered to him or her alcoholic
4 beverages or attempting to purchase or have another person purchase for him or her any alcoholic
5 beverage pursuant to § 3-8-6.

6 (c) Exceptions. This section shall not apply to:

7 (1) A constitutionally protected activity;

8 (2) A law enforcement officer engaged in the performance of the law enforcement officer's
9 official duties;

10 (3) A provider or developer of any technology used in the creation of a visual representation
11 or audio recording; or

12 (4) An activity otherwise protected by state or federal law.

13 **11-49.1-4. Penalties.**

14 (a) Every person who violates the provisions of § 11-49.1-3 shall be imprisoned for not
15 more than three (3) years and may be fined not more than five thousand dollars (\$5,000), or both,
16 for a first conviction.

17 (b) Every person who violates the provisions of § 11-49.1-3 may be imprisoned for not less
18 than three (3) years nor more than five (5) years and shall be fined not more than ten thousand
19 dollars (\$10,000), or both, for a second conviction.

20 (c) Every person who violates the provisions of § 11-49.1-3 shall be imprisoned for not
21 less than five (5) years nor more than ten (10) years and shall be fined not less than fifteen thousand
22 dollars (\$15,000), or both, for a third or subsequent conviction.

23 (d) In any criminal case involving an elderly adult, nothing in this chapter shall be
24 construed to limit the authority of the superior court to correct or reduce a sentence pursuant to
25 superior court rules of criminal procedure, rule 35.

26 SECTION 2. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
A N A C T
RELATING TO CRIMINAL OFFENSES -- IMPERSONATION AND IDENTITY FRAUD

1 This act would protect individuals and businesses from those who knowingly impersonate
2 an entity with the intent of facilitating fraud. This act would also protect individuals and businesses
3 from digital forgery.

4 This act would take effect upon passage.

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