

21-5918. Dealing in false identification documents; vital records identity fraud. (a) Dealing in false identification documents is knowingly reproducing, manufacturing, selling or offering for sale any identification document which:

- (1) Simulates, purports to be or is designed so as to cause others reasonably to believe it to be an identification document; and
 - (2) bears a fictitious name or other false information.
- (b) Vital records identity fraud related to birth, death, marriage and divorce certificates is:
- (1) Supplying false information intending that the information be used to obtain a certified copy of a vital record;
 - (2) making, counterfeiting, altering, amending or mutilating any certified copy of a vital record without lawful authority and with the intent to deceive; or
 - (3) obtaining, possessing, using, selling or furnishing or attempting to obtain, possess or furnish to another a certified copy of a vital record, with the intent to deceive.
- (c) (1) Vital records identity fraud is a severity level 8, nonperson felony.
- (2) Dealing in false identification documents is a severity level 8, nonperson felony.
- (d) The provisions of this section shall not apply to:
- (1) A person less than 21 years of age who uses the identification document of another person to acquire an alcoholic beverage, as defined in K.S.A. 8-1599, and amendments thereto; or
 - (2) a person less than 18 years of age who uses the identification documents of another person to acquire:
 - (A) Cigarettes or tobacco products, as defined in K.S.A. 79-3301, and amendments thereto;
 - (B) a periodical, videotape or other communication medium that contains or depicts nudity;
 - (C) admittance to a performance, live or film, that prohibits the attendance of the person based on age; or
 - (D) an item that is prohibited by law for use or consumption by such person.
- (e) As used in this section, "identification document" means any card, certificate or document or banking instrument including, but not limited to, credit or debit card, which identifies or purports to identify the bearer of such document, whether or not intended for use as identification, and includes, but is not limited to, documents purporting to be drivers' licenses, nondrivers' identification cards, certified copies of birth, death, marriage and divorce certificates, social security cards and employee identification cards.

History: L. 2010, ch. 136, § 143; July 1, 2011.