Attachment B

STATE OF COLORADO

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FACT SHEET SB 13-047

CONCERNING NECESSARY CHANGES TO C.R.S. § 19-7-102 IN ORDER TO COMPLY WITH FEDERAL LAW REGARDING FOSTER YOUTH IDENTITY THEFT

- The 68th General Assembly enacted SB 11-120 which added C.R.S. § 19-7-102, Protection Against Identity Theft. One of the first statutes of its kind in the nation, 19-7-102 requires the court ensure that a credit check is conducted on foster children ages 16-18 to determine whether they are the victims of identity theft.
    - Colorado Department of Human Services (DHS) Implementation Committee engaged various stakeholders to implement the statute
    - Implementation efforts included providing a mechanism to obtain credit report(s) and necessary remediation services

- Reasons supporting C.R.S. § 19-7-102, include:
    - Researchers at Carnegie Mellon University report that children face higher rates of identity theft (10%) than adults (4%).
    - California officials discovered that the rate of identity theft for foster children is even worse. The University of San Diego Children's Advocacy Institute estimates that as many as 30% of foster children may be the victims of identity theft.
    - A high number of children/youth who leave foster care discover that someone has stolen their identity in order to obtain medical treatment, open credit accounts, take out loans, etc.
        - Officials in Los Angeles County found that more than 100 victims of identity theft were foster children ages 16 and 17 years old.
        - In Los Angeles, those children had an average of $3,600 incurred by others using their identity.
        - One child was found to have a $217,000 home loan

- Congress created the need for amendments to C.R.S. § 19-7-102 when it the "Child and Family Services Improvement and Innovation Act." The Act, codified at 42 U.S.C. § 675(5)(I), provides,

  > Each child in foster care under the responsibility of the State who has attained 16 years of age receives without cost a copy of any consumer report (as defined in section 603(d) of the Fair Credit Reporting Act) pertaining to the child each year until the child is discharged from care, and receives assistance (including, when feasible, from any court-appointed advocate for the child) in interpreting and resolving any inaccuracies in the report.

- SB 13-047 expands Colorado's current statute in order to comply with federal law and reflect best practices by including children/youth in the Department of Youth Corrections and state mental health facilities, including children/youth in foster care beyond their 18th birthday, and requiring annual credit reports rather than a single report.