§ 190.84 Defenses.

In any prosecution for identity theft or unlawful possession of personal identification information pursuant to this article, it shall be an affirmative defense that the person charged with the offense:

1. was under twenty-one years of age at the time of committing the offense and the person used or possessed the personal identifying or identification information of another solely for the purpose of purchasing alcohol;

2. was under eighteen years of age at the time of committing the offense and the person used or possessed the personal identifying or identification information of another solely for the purpose of purchasing tobacco products; or

3. used or possessed the personal identifying or identification information of another person solely for the purpose of misrepresenting the person's age to gain access to a place the access to which is restricted based on age.