

FEB 23 2006  
Place On Calendar

HOUSE FILE 2506  
BY COMMITTEE ON COMMERCE,  
REGULATION AND LABOR

(SUCCESSOR TO HF 2247)

Passed House, Date 3-16-06 Passed Senate, Date \_\_\_\_\_  
Vote: Ayes 95 Nays 0 Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved April 20, 2006

**A BILL FOR**

1 An Act relating to the issuance of identity theft passports by  
2 the attorney general.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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HF 2506

TLSB 5518HV 81

kk/cf/24

1 Section 1. NEW SECTION. 715A.9A IDENTITY THEFT PASSPORT.

2 1. The attorney general, in cooperation with any law  
3 enforcement agency, may issue an identity theft passport to a  
4 person who meets both of the following requirements:

5 a. Is a victim of identity theft in this state as  
6 described in section 715A.8.

7 b. Has filed a police report with any law enforcement  
8 agency citing that the person is a victim of identity theft.

9 2. A victim who has filed a report of identity theft with  
10 a law enforcement agency may apply for an identity theft  
11 passport through the law enforcement agency. The law  
12 enforcement agency shall send a copy of the police report and  
13 the application to the attorney general, who shall process the  
14 application and supporting report and may issue the victim an  
15 identity theft passport in the form of a card or certificate.

16 3. A victim of identity theft issued an identity theft  
17 passport may present the passport to any of the following:

18 a. A law enforcement agency, to help prevent the victim's  
19 arrest or detention for an offense committed by someone other  
20 than the victim who is using the victim's identity.

21 b. A creditor of the victim, to aid in the creditor's  
22 investigation and establishment of whether fraudulent charges  
23 were made against accounts in the victim's name or whether  
24 accounts were opened using the victim's identity.

25 c. A consumer reporting agency.

26 4. A law enforcement agency, creditor, or consumer  
27 reporting agency may accept an identity theft passport issued  
28 pursuant to this section and presented by a victim at the  
29 discretion of the law enforcement agency, creditor, or  
30 consumer reporting agency. A law enforcement agency,  
31 creditor, or consumer reporting agency may consider the  
32 surrounding circumstances and available information regarding  
33 the offense of identity theft pertaining to the victim.

34 5. An application made with the attorney general under  
35 subsection 2, including any supporting documentation, shall be

1 confidential and shall not be a public record subject to  
2 disclosure under chapter 22.

3 6. The attorney general shall adopt rules necessary to  
4 implement this section, which shall include a procedure by  
5 which the attorney general shall assure that an identity theft  
6 passport applicant has an identity theft claim that is  
7 legitimate and adequately substantiated.

8 EXPLANATION

9 This bill authorizes the attorney general to issue an  
10 identity theft passport to a victim of the criminal offense of  
11 identity theft, as defined in Code section 715A.8, who has  
12 filed a police report with a law enforcement agency. A victim  
13 of identity theft may apply for an identity theft passport  
14 with the law enforcement agency, which shall send a copy of  
15 the police report and application to the attorney general.

16 The identity theft passport shall be in the form of a card  
17 or certificate which the victim may present to a law  
18 enforcement agency, creditor, or consumer reporting agency to  
19 help protect the victim from false criminal charges and  
20 fraudulent credit charges. A law enforcement agency,  
21 creditor, or consumer reporting agency may use discretion as  
22 to whether to accept the identity theft passport after  
23 considering surrounding circumstances and available  
24 information concerning the commission of identity theft  
25 against the victim presenting the passport.

26 An application for an identity theft passport and all  
27 supporting documents shall be confidential and not considered  
28 a public record under Code chapter 22. The attorney general  
29 shall adopt rules necessary to issue the identity theft  
30 passports and to ensure that applications for the identity  
31 theft passports are legitimate.

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**HOUSE FILE 2506**

**H-8219**

1 Amend House File 2506 as follows:

2 1. Page 1, by striking lines 25 through 31 and  
3 inserting the following:

4 "4. A law enforcement agency or creditor may  
5 accept an identity theft passport issued pursuant to  
6 this section and presented by a victim at the  
7 discretion of the law enforcement agency or creditor.  
8 A law enforcement agency or creditor may consider  
9 the".

**By SANDS of Louisa**

**H-8219 FILED MARCH 14, 2006**

HOUSE FILE 2506  
BY COMMITTEE ON COMMERCE,  
REGULATION AND LABOR

(SUCCESSOR TO HF 2247)

(As Amended and Passed by the House March 16, 2006)

Passed House, Date \_\_\_\_\_ Passed Senate, Date 4-5-06  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes 50 Nays 0  
Approved \_\_\_\_\_

**A BILL FOR**

1 An Act relating to the issuance of identity theft passports by  
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3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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5 House Amendments \_\_\_\_\_  
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25 4. A law enforcement agency or creditor may accept an  
26 identity theft passport issued pursuant to this section and  
27 presented by a victim at the discretion of the law enforcement  
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33 subsection 2, including any supporting documentation, shall be  
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35 disclosure under chapter 22.

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HOUSE FILE 2506

AN ACT

RELATING TO THE ISSUANCE OF IDENTITY THEFT PASSPORTS BY THE  
ATTORNEY GENERAL.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. NEW SECTION. 715A.9A IDENTITY THEFT PASSPORT.

1. The attorney general, in cooperation with any law enforcement agency, may issue an identity theft passport to a person who meets both of the following requirements:

a. Is a victim of identity theft in this state as described in section 715A.8.

b. Has filed a police report with any law enforcement agency citing that the person is a victim of identity theft.

2. A victim who has filed a report of identity theft with a law enforcement agency may apply for an identity theft passport through the law enforcement agency. The law enforcement agency shall send a copy of the police report and the application to the attorney general, who shall process the application and supporting report and may issue the victim an identity theft passport in the form of a card or certificate.

3. A victim of identity theft issued an identity theft passport may present the passport to any of the following:

a. A law enforcement agency, to help prevent the victim's arrest or detention for an offense committed by someone other than the victim who is using the victim's identity.

b. A creditor of the victim, to aid in the creditor's investigation and establishment of whether fraudulent charges were made against accounts in the victim's name or whether accounts were opened using the victim's identity.

4. A law enforcement agency or creditor may accept an identity theft passport issued pursuant to this section and presented by a victim at the discretion of the law enforcement agency or creditor. A law enforcement agency or creditor may

consider the surrounding circumstances and available information regarding the offense of identity theft pertaining to the victim.

5. An application made with the attorney general under subsection 2, including any supporting documentation, shall be confidential and shall not be a public record subject to disclosure under chapter 22.

6. The attorney general shall adopt rules necessary to implement this section, which shall include a procedure by which the attorney general shall assure that an identity theft passport applicant has an identity theft claim that is legitimate and adequately substantiated.

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CHRISTOPHER C. RANTS  
Speaker of the House

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JEFFREY M. LAMBERTI  
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 2506, Eighty-first General Assembly.

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MARGARET THOMSON  
Chief Clerk of the House

Approved \_\_\_\_\_, 2006

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THOMAS J. VILSACK  
Governor