

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 or resides in this state at the time the person is a victim of identity theft.

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.

[2006 Acts, ch 1067, §1; 2015 Acts, ch 138, §20, 161, 162](#)

2015 amendment to subsection 1, paragraph a takes effect July 2, 2015, and applies retroactively to July 1, 2015; 2015 Acts, ch 138, §161, 162

Subsection 1, paragraph a amended