

**PROPOSED REGULATION OF THE OFFICE  
OF THE ATTORNEY GENERAL**

(This regulation was previously adopted as T032-07)

**Chapter 205 of NAC**

**Definitions.**

*As used in the following sections, inclusive, unless the context otherwise requires:*

1. *“Identity theft” has the meaning ascribed to it in section 9 of NRS 205.4651.*
2. *“Identity theft passport” has the meaning ascribed to it in section 9 of NRS 205.4651.*

**Application and eligibility for permit.**

**Section 1.** *The Attorney General will issue an identity theft passport to the victim of identity theft upon approval of the victim’s application for an identity theft passport. The victim may present the identity theft passport to law enforcement officers to help prevent arrest for offenses committed by another individual using the victim’s identifying information. Law enforcement agencies must have the ability to verify the issuance of an identity theft passport to the victim using NCJIS. The victim can also present the identity theft passport to creditors to aid in the investigation of the existence of fraudulent accounts and/or fraudulent charges made against an account in the victim’s name. While the identity theft passport will alert law enforcement officials and creditors that the individual was a victim of identity theft in the past, law enforcement agencies and creditors maintain sole discretion in the acceptance or rejection of the identity theft passport.*

**Sec. 2.** *The Attorney General shall review the application and supporting documentation of an applicant to determine if the person is eligible for an identity theft passport. A person is eligible to apply for an identity theft passport if he:*

- (a) Is a resident of the State of Nevada;*
- (b) Is the victim of identity theft; and*
- (c) Has reported the theft of his identity to a law enforcement agency in a written report that he is the victim of identity theft.*

**Sec. 3.** *In all law enforcement agencies located in the counties of Carson City, Churchill, Clark, Douglas, Lyon, Storey, and Washoe, the law enforcement agency will file a written report of an identity theft. At that time, the law enforcement agency will provide the victim of identity theft a pamphlet prepared by the Attorney General. If the victim wishes to apply for an identity theft passport, he must make an appointment with the Attorney General’s Office to complete the application and provide the necessary supporting documentation to demonstrate proof of identity of the victim.*

**Sec. 4.** *In all law enforcement agencies located in the counties of Elko, Esmeralda, Eureka, Humboldt, Lander, Lincoln, Mineral, Nye, Pershing, and White Pine, the law*

*enforcement agency must file a written report of an identity theft. If the victim would like to apply for an identity theft passport, they must contact either the Attorney General's Office or their local sheriff's department, who shall complete an online application for the victim and shall further obtain the necessary documentation to show proof of identity. All applications shall be forwarded to the Attorney General.*

**Sec. 5.** *Regardless of the county in which the report is filed, upon receipt of the completed application and supporting documents, the Attorney General will review the documentation. All documentation received by the Attorney General will be considered confidential and not a matter of public record. The Attorney General will grant an application for an identity theft passport if he determines that:*

- (a) All paperwork is in order, and*
- (b) The applicant is the victim of identity theft.*

**Sec. 6.** *Upon approval of the application, the Attorney General will issue an identity theft passport. The identity theft passport will be mailed to the victim. The victim shall activate the identity theft passport with the Attorney General. If an application for an identity theft passport is denied by the Attorney General, the Attorney General will send the applicant written notification of denial.*