

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

LCB File No. R004-11

(This regulation was previously adopted as LCB File No. T013-10)

205.020 “Identity theft” defined. “Identity theft” has the meaning ascribed to it in NRS 205.4651(9)(a).

205.030 “Identity theft ~~[passport]~~ *program card*” defined. “Identity theft ~~[passport]~~ *program card*” has the meaning ascribed to it in NRS 205.4651(9)(b).

205.040 Eligibility. A person may apply for an identity theft ~~[passport]~~ *program card* if the person:

1. Is a victim of identity theft in this State; and
2. Has filed with a law enforcement agency ~~[in this State]~~ a written report stating that the person is a victim of identity theft.

205.050 Application in Counties of Carson City, Churchill, Clark, Douglas, Lyon, Storey and Washoe. In the Counties of Carson City, Churchill, Clark, Douglas, Lyon, Storey and Washoe:

1. At the time that a person files with a law enforcement agency a written report stating that the person is a victim of identity theft, the law enforcement agency shall provide to the person a pamphlet prepared by the Attorney General which contains an application for an identity theft ~~[passport]~~ *program card*.

2. If the person wishes to apply for an identity theft ~~[passport]~~ *program card*, the ~~[law enforcement]~~ *designated* agency shall:

- (a) Assist the person in completing the application;
- (b) Review the supporting documentation of the person to confirm the identity of the person;
- (c) Refer the person to the Office of the Attorney General for ~~[the processing]~~ *review* of the application; and

(d) Forward the completed application and a copy of the written report stating that the person is a victim of identity theft to the Office of the Attorney General for ~~[processing]~~ *review*.

205.060 Application in Counties of Elko, Esmeralda, Eureka, Humboldt, Lander, Lincoln, Mineral, Nye, Pershing and White Pine. In the Counties of Elko, Esmeralda, Eureka, Humboldt, Lander, Lincoln, Mineral, Nye, Pershing and White Pine:

1. At the time that a person files with a law enforcement agency a written report stating that the person is a victim of identity theft, the law enforcement agency shall provide to the person a pamphlet prepared by the Attorney General which contains an application for an identity theft ~~[passport]~~ *program card*.

2. If the person wishes to apply for an identity theft ~~[passport]~~ *program card*, the ~~[law enforcement]~~ *designated* agency shall:

- (a) Assist the person in completing the application;

- (b) Review the supporting documentation of the person to confirm the identity of the person;
- (c) Refer the person to the office of the sheriff of the county in which the written report was made to complete the entry of data for the application; and
- (d) Forward the completed application and a copy of the written report stating that the person is a victim of identity theft to the Office of the Attorney General for ~~{processing}~~ review.

205.070 Approval or denial of application; issuance; activation.

1. The Attorney General will approve an application for an identity theft ~~{passport}~~ program card if the Attorney General determines that:
 - (a) The person applying for an identity theft ~~{passport}~~ program card is a victim of identity theft in this State;
 - (b) The person has filed with a law enforcement agency ~~{in this State}~~ a written report stating that the person is a victim of identity theft; and
 - (c) The application is complete.
2. If the Attorney General approves an application, the Attorney General will issue and mail to the applicant an identity theft ~~{passport}~~ program card. An applicant who receives an identity theft ~~{passport}~~ program card must activate the identity theft ~~{passport}~~ program card by contacting the Office of the Attorney General. An identity theft ~~{passport}~~ program card is valid only if the applicant has activated the identity theft ~~{passport}~~ program card.
3. If the Attorney General denies an application, the Attorney General will mail to the applicant written notification of the denial.

205.080 Reports of issuance; verification of validity.

1. When the Attorney General is able to transfer electronically to the Division information concerning the issuance of an identity theft ~~{passport}~~ program card:
 - (a) The Attorney General will report to the Division the issuance of an identity theft ~~{passport}~~ program card.
 - (b) A law enforcement officer who is presented with an identity theft ~~{passport}~~ program card may verify the validity of the identity theft ~~{passport}~~ program card by accessing the repository of information concerning the issuance of identity theft ~~{passports}~~ program cards established and maintained by the Division.
2. As used in this section, "Division" means the Records and Technology Division of the Department of Public Safety.