

**Article - Criminal Law**

8-305.

(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(2) "IDENTITY FRAUD" MEANS A VIOLATION OF § 8-301 OF THIS SUBTITLE.

(3) "IDENTITY THEFT PASSPORT" MEANS A CARD OR CERTIFICATE ISSUED BY THE ATTORNEY GENERAL THAT VERIFIES THE IDENTITY OF THE PERSON WHO IS A VICTIM OF IDENTITY FRAUD.

(B) A PERSON WHO KNOWS OR REASONABLY SUSPECTS THAT THE PERSON IS A VICTIM OF IDENTITY FRAUD AND HAS FILED A REPORT UNDER § 8-304 OF THIS SUBTITLE MAY APPLY FOR AN IDENTITY THEFT PASSPORT THROUGH A LAW ENFORCEMENT AGENCY.

(C) A LAW ENFORCEMENT AGENCY THAT RECEIVES AN APPLICATION FOR AN IDENTITY THEFT PASSPORT SHALL SUBMIT THE APPLICATION AND A COPY OF THE REPORT FILED UNDER § 8-304 OF THIS SUBTITLE TO THE ATTORNEY GENERAL FOR PROCESSING AND ISSUANCE OF AN IDENTITY THEFT PASSPORT.

(D) (1) THE ATTORNEY GENERAL, IN COOPERATION WITH A LAW ENFORCEMENT AGENCY, MAY ISSUE AN IDENTITY THEFT PASSPORT TO A PERSON WHO IS A VICTIM OF IDENTITY FRAUD.

(2) THE ATTORNEY GENERAL MAY NOT ISSUE AN IDENTITY THEFT PASSPORT TO A PERSON BEFORE COMPLETING A BACKGROUND CHECK ON THE PERSON.

(E) A PERSON WHO IS ISSUED AN IDENTITY THEFT PASSPORT UNDER SUBSECTION (D) OF THIS SECTION MAY PRESENT THE IDENTITY THEFT PASSPORT TO:

(1) A LAW ENFORCEMENT AGENCY TO HELP PREVENT THE ARREST OR DETENTION OF THE PERSON FOR AN OFFENSE COMMITTED BY ANOTHER USING THE PERSON'S PERSONAL IDENTIFYING INFORMATION; OR

(2) A CREDITOR TO AID IN THE INVESTIGATION OF:

(I) A FRAUDULENT ACCOUNT THAT IS OPENED IN THE PERSON'S NAME; OR

(II) A FRAUDULENT CHARGE THAT IS MADE AGAINST AN ACCOUNT OF THE PERSON.

(F) (1) A LAW ENFORCEMENT AGENCY OR CREDITOR THAT IS PRESENTED WITH AN IDENTITY THEFT PASSPORT UNDER SUBSECTION (E) OF THIS SECTION HAS SOLE DISCRETION TO ACCEPT OR REJECT THE IDENTITY THEFT PASSPORT.