



## 95TH GENERAL ASSEMBLY

### State of Illinois

2007 and 2008

SB0141

Introduced 1/31/2007, by Sen. Ira I. Silverstein

#### SYNOPSIS AS INTRODUCED:

720 ILCS 5/16G-45 new

Amends the Criminal Code of 1961. Provides that the Attorney General, in cooperation with any law enforcement agency, may issue an identity theft passport to a person who is a victim of identity theft in this State and who has filed a police report citing that the person is a victim of identity theft. Provides that a victim who has filed a report of identity theft with a law enforcement agency may apply for an identity theft passport through any law enforcement agency. Provides that the agency shall send a copy of the police report and the application to the Attorney General. Provides that the Attorney General shall process the application and supporting report and may issue the victim an identity theft passport in the form of a card or certificate. Provides that a person who is issued an identity theft passport may present the identity theft passport to: (1) 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; (2) any of the victim's creditors to aid in the creditors' investigation and establishment of whether fraudulent charges were made against the victim's accounts or whether accounts were opened in the victim's name; and (3) a consumer reporting agency, which shall accept the passport as direct conveyance of a dispute and shall include the notice of dispute in all future reports that contain disputed information caused by identity theft. Provides that the Attorney General shall adopt rules to implement these provisions, which must include a procedure by which the Attorney General is assured that an identity theft passport applicant has an identity theft claim that is legitimate and adequately substantiated.

LRB095 07903 RLC 28065 b

FISCAL NOTE ACT  
MAY APPLY

STATE MANDATES  
ACT MAY REQUIRE  
REIMBURSEMENT

A BILL FOR

1 AN ACT concerning criminal law.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 5. The Criminal Code of 1961 is amended by adding  
5 Section 16G-45 as follows:

6 (720 ILCS 5/16G-45 new)

7 Sec. 16G-45. Identity theft passport.

8 (a) The Attorney General, in cooperation with any law  
9 enforcement agency, may issue an identity theft passport to a  
10 person who is a victim of identity theft in this State and who  
11 has filed a police report citing that the person is a victim of  
12 identity theft. A victim who has filed a report of identity  
13 theft with a law enforcement agency may apply for an identity  
14 theft passport through any law enforcement agency. The agency  
15 shall send a copy of the police report and the application to  
16 the Attorney General. The Attorney General shall process the  
17 application and supporting report and may issue the victim an  
18 identity theft passport in the form of a card or certificate.

19 (b) A person who is issued an identity theft passport may  
20 present the identity theft passport to:

21 (1) a law enforcement agency to help prevent the  
22 victim's arrest or detention for an offense committed by  
23 someone other than the victim who is using the victim's

1 identity;

2 (2) any of the victim's creditors to aid in the  
3 creditors' investigation and establishment of whether  
4 fraudulent charges were made against the victim's accounts  
5 or whether accounts were opened in the victim's name;

6 (3) a consumer reporting agency, which shall accept the  
7 passport as direct conveyance of a dispute and shall  
8 include the notice of dispute in all future reports that  
9 contain disputed information caused by identity theft.

10 (c) The Attorney General shall adopt rules to implement  
11 this Section. The rules must include a procedure by which the  
12 Attorney General is assured that an identity theft passport  
13 applicant has an identity theft claim that is legitimate and  
14 adequately substantiated.