

1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend and reenact § 18.2-186.5 of the Code of Virginia, relating to expungement of false*
3 *identity information from police and court records; issuance of Identity Theft Passport.*

4 [H 1714]

5 Approved

6 **Be it enacted by the General Assembly of Virginia:**7 **1. That § 18.2-186.5 of the Code of Virginia is amended and reenacted as follows:**

8 § 18.2-186.5. Expungement of false identity information from police and court records; Identity Theft
9 Passport.

10 Any person whose name or other identification has been used without his consent or authorization by
11 another person who has been charged or arrested using such name or identification may file a petition
12 with the court for relief pursuant to § 19.2-392.2. A person who has petitioned the court pursuant to
13 § 19.2-392.2 as a result of a violation of § 18.2-186.3, may submit to the Attorney General a certified
14 copy of a court order obtained pursuant to § 19.2-392.2. Upon receipt by the Attorney General of a
15 certified copy of the court order and upon request by such person, the Office of the Attorney General, in
16 cooperation with the State Police, ~~shall~~ *may* issue an "Identity Theft Passport" stating that such an order
17 has been submitted. The Office of the Attorney General shall provide access to identity theft information
18 to (i) criminal justice agencies and (ii) individuals who have submitted a court order pursuant to this
19 section. When the Office of the Attorney General issues an Identity Theft Passport, it shall transmit a
20 record of the issuance of the passport to the Department of Motor Vehicles. The Department shall note
21 on the individual's driver abstract that a court order was obtained pursuant to § 19.2-392.2 and that an
22 Identity Theft Passport has been issued. *The provisions of § 2.2-3808 shall not apply to this section.*

ENROLLED

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