



Bill No. CS for CS for SB 656

Barcode 883620

1 be accessed for a designated period of time while a security  
2 freeze is in effect by contacting the consumer reporting  
3 agency and requesting that the freeze be temporarily lifted.

4 The consumer must provide the following information to the  
5 consumer reporting agency as part of the request:

6 (a) Proper identification as determined by the  
7 consumer reporting agency.

8 (b) The unique personal identification number or  
9 password provided by the consumer reporting agency pursuant to  
10 subsection (4).

11 (c) Information specifying the period of time for  
12 which the report shall be made available.

13 (d) Payment of a fee authorized by this section.

14 (6) A consumer reporting agency that receives a  
15 request from a consumer to temporarily lift a freeze on a  
16 consumer report pursuant to subsection (5) shall comply with  
17 the request no later than 3 business days after receiving the  
18 request.

19 (7) By July 1, 2007, a consumer reporting agency doing  
20 business in this state shall select and develop a secure  
21 electronic contact method, which may include the use of  
22 telephone, facsimile, the Internet, or other secure electronic  
23 means, by which to receive and process requests from consumers  
24 to temporarily lift a freeze on a consumer report pursuant to  
25 subsection (5).

26 (8) A consumer reporting agency shall temporarily lift  
27 or remove a security freeze placed on a consumer report only  
28 in the following instances:

29 (a) Upon consumer request, pursuant to subsection (5)  
30 or subsection (11).

31 (b) If the consumer report was frozen due to a

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1 material misrepresentation of fact by the consumer. If a  
2 consumer reporting agency intends to remove a security freeze  
3 on a consumer report pursuant to this paragraph, the consumer  
4 reporting agency shall notify the consumer in writing prior to  
5 removing the security freeze.

6 (9) A third party requesting access to a consumer  
7 report on which a security freeze is in effect in connection  
8 with an application for credit or other permissible use may  
9 treat the application as incomplete if the consumer has not  
10 authorized a temporary lifting of the security freeze for the  
11 period of time during which the request is made.

12 (10) If a consumer requests a security freeze, the  
13 consumer reporting agency shall disclose to the consumer all  
14 information relevant to the process of instituting,  
15 temporarily lifting, and removing a security freeze and shall  
16 include the disclosure required by subsection (17).

17 (11) A security freeze shall remain in place until the  
18 consumer requests that it be removed. A consumer reporting  
19 agency shall remove a security freeze within 3 business days  
20 after receiving a request for removal from the consumer, who,  
21 upon making the request for removal, must provide the  
22 following:

23 (a) Proper identification as determined by the  
24 consumer reporting agency.

25 (b) The unique personal identification number or  
26 password provided by the consumer reporting agency pursuant to  
27 subsection (4).

28 (c) Payment of a fee authorized by this section.

29 (12) The provisions of this section do not apply to  
30 the use of a consumer report by the following persons or for  
31 the following reasons:

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1       (a) A person to whom the consumer owes a financial  
2 obligation or a subsidiary, affiliate, or agent of the person,  
3 or an assignee of a financial obligation owed by the consumer  
4 to the person, or a prospective assignee of a financial  
5 obligation owed by the consumer to the person in conjunction  
6 with the proposed purchase of the financial obligation, with  
7 which the consumer has or had prior to assignment an account  
8 or contract, including a deposit account, or to whom the  
9 consumer issued a negotiable instrument, for the purposes of  
10 reviewing the account or collecting the financial obligation  
11 owed for the account, contract, or negotiable instrument. For  
12 purposes of this paragraph, "reviewing the account" includes  
13 activities related to account maintenance, monitoring, credit  
14 line increases, and account upgrades and enhancements.

15       (b) A subsidiary, affiliate, agent, assignee, or  
16 prospective assignee of a person to whom access has been  
17 granted under this section for purposes of facilitating the  
18 extension of credit or other permissible use.

19       (c) A state agency acting within its lawful  
20 investigative or regulatory authority.

21       (d) A state or local law enforcement agency acting to  
22 investigate a crime or conducting a criminal background check.

23       (e) Any person administering a credit file monitoring  
24 subscription service to which the consumer has subscribed.

25       (f) Any person for the purpose of providing a consumer  
26 with a copy of the consumer report upon the consumer's  
27 request.

28       (g) Pursuant to a court order lawfully entered.

29       (h) The use of credit information for the purposes of  
30 prescreening as provided for by the federal Fair Credit  
31 Reporting Act.

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1       (i) Any insurance company for use in setting or  
2 adjusting a rate, adjusting a claim, or underwriting for  
3 insurance purposes.

4       (13) A consumer reporting agency shall not charge a  
5 consumer any fee to place a security freeze on his or her  
6 consumer report. A consumer reporting agency may charge a  
7 reasonable fee, not to exceed \$10, to a consumer who elects to  
8 remove or temporarily lift a security freeze on his or her  
9 consumer report. A consumer may be charged a reasonable fee,  
10 not to exceed \$10, if the consumer fails to retain the  
11 original personal identification number or password or provide  
12 a new personal identification number or password to the  
13 consumer.

16 ===== T I T L E   A M E N D M E N T =====

17 And the title is amended as follows:

18           On page 1, lines 17-22, delete those lines

20 and insert:

21           prohibiting a consumer reporting agency from  
22           charging a consumer any fee to place a security  
23           freeze on a consumer report; authorizing a  
24           consumer reporting agency to charge a fee to  
25           remove or temporarily lift a security freeze  
26           and to

31