

By Senator Broxson

1-01465-17

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1 A bill to be entitled
2 An act relating to consumer reporting agencies;
3 creating s. 501.0052, F.S.; requiring a consumer
4 reporting agency to provide certain creditor
5 information to a consumer upon written request;
6 providing liability; providing civil penalties;
7 authorizing the award of costs and attorney fees to a
8 prevailing plaintiff in certain actions; providing an
9 effective date.

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11 Be It Enacted by the Legislature of the State of Florida:

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13 Section 1. Section 501.0052, Florida Statutes, is created
14 to read:

15 501.0052 Consumer reporting agency information; civil
16 penalty.—

17 (1) A consumer reporting agency as defined under s. 603(f)
18 of the Fair Credit Reporting Act, 15 U.S.C. s. 1681a(f),
19 operating in the state must, upon the written request of a
20 consumer, provide the consumer with a document containing the
21 name and telephone number of every creditor listed in the
22 consumer's credit report within 7 days after receipt of the
23 request.

24 (2) (a) A consumer reporting agency that fails to comply
25 with subsection (1) is liable to the consumer for:

26 1. A civil penalty equal to the sum of any actual damages
27 sustained by the consumer as a result of the agency's failure to
28 provide the information; or

29 2. Damages of at least \$100 but not more than \$1,000.

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30 (b) A consumer who is a prevailing plaintiff in an action
31 to enforce liability under this subsection is also entitled to
32 recover the costs of the action and reasonable attorney fees, as
33 determined by the court.

34 Section 2. This act shall take effect July 1, 2017.