

By: Thompson

H.B. No. 1581

A BILL TO BE ENTITLED

1 AN ACT

2 relating to charges by a consumer reporting agency for placing a
3 security freeze on a consumer file.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. Section 20.04, Business & Commerce Code, is
6 amended to read as follows:

7 Sec. 20.04. CHARGES FOR CERTAIN DISCLOSURES OR SERVICES.

8 (a) Except as provided by Subsection (b), a consumer reporting
9 agency may impose a reasonable charge on a consumer for the
10 disclosure of information pertaining to the consumer [~~or for~~
11 ~~placing a security freeze on a consumer file~~]. The amount of the
12 charge may not exceed \$8. On January 1 of each year, a consumer
13 reporting agency may increase the charge for disclosure to a
14 consumer [~~or for placing a security freeze~~]. The increase, if any,
15 must be based proportionally on changes to the Consumer Price Index
16 for All Urban Consumers as determined by the United States
17 Department of Labor with fractional changes rounded to the nearest
18 50 cents.

19 (b) A consumer reporting agency may not charge a fee for:

20 (1) a request by a consumer for a copy of the
21 consumer's file:

22 (A) made not later than the 60th day after the
23 date on which adverse action is taken against the consumer; or

24 (B) made on the expiration of a 45-day security

1 alert;

2 (2) notification of the deletion of information that
3 is found to be inaccurate or can no longer be verified sent to a
4 person designated by the consumer, as prescribed by Section 611 of
5 the Fair Credit Reporting Act (15 U.S.C. Section 1681i), as
6 amended;

7 (3) a set of instructions for understanding the
8 information presented on the consumer report;

9 (4) a toll-free telephone number that consumers may
10 call to obtain additional assistance concerning the consumer report
11 or to request a security alert; [~~or~~]

12 (5) a request for a security alert made by a consumer;
13 or

14 (6) a request for a security freeze made by a consumer.

15 SECTION 2. The change in law made by this Act applies only
16 to a request for a security freeze made by a consumer to a consumer
17 reporting agency on or after the effective date of this Act. A
18 request for a security freeze made before the effective date of this
19 Act is covered by the law in effect on the date the request was made,
20 and the former law is continued in effect for that purpose.

21 SECTION 3. This Act takes effect September 1, 2007.