

By: Johnson of Dallas

H.B. No. 2001

A BILL TO BE ENTITLED

1 AN ACT

2 relating to fees charged by a consumer reporting agency for the
3 placement, temporary lifting, or removal of a security freeze on
4 the consumer file or record of certain consumers or protected
5 consumers.

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

7 SECTION 1. Section 20.04, Business & Commerce Code, is
8 amended by amending Subsection (b) and adding Subsection (c) to
9 read as follows:

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

11 (1) a request by a consumer for a copy of the
12 consumer's file:

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

15 (B) made on the expiration of a 45-day security
16 alert;

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

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

24 (4) a toll-free telephone number that consumers may

1 call to obtain additional assistance concerning the consumer report
2 or to request a security alert;

3 (5) a request for a security alert made by a consumer;
4 or

5 (6) the placement, temporary lifting, or removal of a
6 security freeze at the request of a consumer who has submitted to
7 the consumer reporting agency:

8 (A) a copy of a valid police report,
9 investigative report, or complaint involving the alleged
10 commission of an offense under Section 32.51, Penal Code; or

11 (B) a copy of a notice from a user of a consumer
12 report, including a credit card issuer, as defined by Section
13 505.001, that the consumer's sensitive personal information has
14 been disclosed as a result of a breach of system security.

15 (c) In this section, "breach of system security" and
16 "sensitive personal information" have the meanings assigned those
17 terms by Sections 521.053 and 521.002, respectively.

18 SECTION 2. Section 20.21, Business & Commerce Code, is
19 amended by amending Subdivision (1) and adding Subdivisions (1-a)
20 and (5) to read as follows:

21 (1) "Breach of system security" has the meaning
22 assigned by Section 521.053.

23 (1-a) "Protected consumer" means an individual who
24 resides in this state and is younger than 16 years of age at the time
25 a request for the placement of a security freeze is made.

26 (5) "Sensitive personal information" has the meaning
27 assigned by Section 521.002.

1 SECTION 3. Section [20.29](#), Business & Commerce Code, is
2 amended by amending Subsection (b) and adding Subsection (d) to
3 read as follows:

4 (b) Except as provided by Subsection (c) or (d), a consumer
5 reporting agency may charge a reasonable fee in an amount not to
6 exceed \$10 for each placement or removal of a security freeze on the
7 protected consumer's consumer file or record.

8 (d) A consumer reporting agency may not charge a fee for the
9 placement or removal of a security freeze under this subchapter if
10 the protected consumer's representative submits to the consumer
11 reporting agency a copy of a notice from a user of a consumer
12 report, including a credit card issuer, as defined by Section
13 [505.001](#), that the protected consumer's sensitive personal
14 information has been disclosed as a result of a breach of system
15 security.

16 SECTION 4. This Act takes effect September 1, 2017.