Councilmember Brianne K. Nadeau

Councilmember Brandon T. Todd

Councilmember Mary M. Cheh

Councilmember Robert C. White, Jr.

A BILL

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To amend Subchapter III of Chapter 38 of Title 28 of the District of Columbia Code to amend the definition of security freeze, to allow representatives of protected consumers to request a security freeze on their behalf, and to establish that a consumer shall not be charged for credit freeze services.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Identity Protection Amendment Act of 2017".

Sec. 2. Subchapter III of Chapter 38 of Title 28 of the District of Columbia Official Code is amended as follows:

(a) Section 28-3861 is amended as follows:

(1) A new subsection (4a) is added to read as follows:

"(4a) "Protected consumer" means an individual who is under sixteen years of age at the time a request for the placement of a security freeze is made or who is a person for whom a legal guardian or conservator has been appointed in accordance with Title 21 of the District of Columbia Official Code."

38 (2) A new sentence is added at the end of subsection (5) to read as follows:
39 "This includes any restrictions on releasing all or any part of a credit report that can be directly
40 and immediately controlled by a consumer, one time restrictions, temporary restrictions, and
41 subscription services."
42 (b) Section 28-3862 is amended as follows:
43 (1) A new subsection (a-1) is added to read as follows:
44 "(a-1) A credit reporting agency shall place, lift, or remove a security freeze on any
45 protected consumer's credit report in accordance with all requirements of this section if a
46 representative of the protected consumer makes a request to the credit reporting agency, in
47 accordance with subsection (a), provides to the consumer reporting agency proper identification
48 of the protected person and the representative, and provides to the consumer reporting agency
49 proof of authority to act on behalf of the protected person. If a consumer credit report does not
50 exist at the time of a request, the consumer credit reporting agency shall generate a consumer
51 credit report for the purpose of placing a security freeze on the protected consumer's credit
52 report."
53 (2) Subsection (o) is repealed.
54 (3) A new subsection (p) is added to read as follows:
55 "(p)(1) Except as provided in paragraph (2) of this subsection, a credit reporting agency
56 shall not charge a consumer any fee for a security freeze service, including fees to place,
57 maintain, lift, or remove a credit freeze.
58 "(2) If the consumer fails to retain the original personal identification number or
59 password provided by the agency, the consumer shall not be charged for a one-time reissue of
60 the same or a new personal identification number or password, but may be charged an amount

61 not to exceed $10 for subsequent instances of loss and reissuance of a new personal
62 identification number or password.".
63 Sec. 3. Fiscal impact statement.
64 The Council adopts the fiscal impact statement in the committee report as the fiscal
65 impact statement required by section 4a of the General Legislative Procedures Act of 1975,
66 approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).
67 Sec. 4. Effective date.
68 This act shall take effect following approval by the Mayor (or in the event of veto by the
69 Mayor, action by the Council to override the veto), a 30-day period of congressional review as
70 provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December
71 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of
72 Columbia Register.