SLS 18RS-666 **ORIGINAL**

2018 Regular Session

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SENATE BILL NO. 295

BY SENATOR WALSWORTH

CONSUMERS/PROTECTION. Prohibits credit reporting agencies from imposing certain charges on consumers. (8/1/18)

AN ACT

2	To amend and reenact R.S. 9:3571.1(W), relative to credit reporting agencies; to provide
3	relative to security freezes; to prohibit credit reporting agencies from imposing a
4	charge for an initial security freeze; to authorize credit reporting agencies to impose
5	a charge for a subsequent security freeze; to provide for exceptions; and to provide
6	for related matters.
7	Be it enacted by the Legislature of Louisiana:
8	Section 1. R.S. 9:3571.1(W) is hereby amended and reenacted to read as follows:
9	§3571.1. Credit reporting agency information and reports; consumer access to files;
10	right of correction; dissemination or maintenance of untrue or
11	misleading credit information by credit reporting agency;
12	investigation; right to recovery
13	* * *
14	W. A credit reporting agency may shall not impose a reasonable charge on
15	a consumer for initially placing a security freeze on a consumer file. A credit
16	reporting agency may impose a charge on a consumer for placing a subsequent
17	security freeze on a consumer file. The amount of the charge for placing a

1 subsequent security freeze may not exceed ten dollars. The charge to temporarily 2 lift the security freeze may not exceed eight dollars per request. At no time shall the consumer be charged for revoking the freeze. On January first of each year, a credit 3 reporting agency may increase the charge for placing a security alert based 4 5 proportionally on changes to the Consumer Price Index of All Urban Consumers as determined by the United States Department of Labor with fractional changes 6 7 rounded to the nearest twenty-five cents. An exception shall be allowed whereby the 8 consumer will be charged zero dollars by the consumer reporting agency placing for 9 temporarily lifting the security freeze if any of the following applies: 10 (1) If the consumer is a victim of identity theft and, upon the request of the 11

consumer reporting agency, provides the credit reporting agency with a police report described in R.S. 9:3568.

(2) If the consumer is sixty-two years of age or older.

The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Curry Lann.

DIGEST

SB 295 Original

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2018 Regular Session

Walsworth

Present law authorizes a credit reporting agency to impose a reasonable charge on a consumer for initially placing a security freeze on a consumer file.

Proposed law prohibits a credit reporting agency from imposing a charge on a consumer for initially placing a security freeze on a consumer file.

Proposed law authorizes a credit reporting agency to impose a charge on a consumer for placing a subsequent security freeze on a consumer file.

Present law provides the amount of the charge may not exceed ten dollars.

Proposed law retains present law and provides that the charge is for placing a subsequent security freeze.

Present law provides that the charge to temporarily lift the security freeze may not exceed eight dollars per request and prohibits the consumer from being charged for revoking the freeze.

Proposed law retains present law.

Present law provides that on January first of each year, a credit reporting agency may increase the charge for placing a security alert based proportionally on changes to the Consumer Price Index, with fractional changes rounded to the nearest 25 cents.

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Coding: Words which are struck through are deletions from existing law; words in **boldface type and underscored** are additions.

Proposed law retains present law.

<u>Present law</u> provides an exception whereby the consumer will be charged zero dollars by the consumer reporting agency placing the security freeze if any of the following applies:

- (1) If the consumer is a victim of identity theft and, upon the request of the consumer reporting agency, provides the credit reporting agency with a police report described in R.S. 9:3568.
- (2) If the consumer is 62 years of age or older.

<u>Proposed law</u> provides the exception applies to temporarily lifting the security freeze and otherwise retains present law.

Effective August 1, 2018.

(Amends R.S. 9:3571.1(W))