

# HOUSE BILL 929

I3, I2

11r1730

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By: **Delegates Barve and Frick**

Introduced and read first time: February 11, 2011

Assigned to: Economic Matters

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## A BILL ENTITLED

1 AN ACT concerning

2 **Consumer Protection – Credit Reporting Agencies – Disclosures to**  
3 **Consumers and Adverse Actions by Users of Consumer Reports**

4 FOR the purpose of requiring a consumer reporting agency, on request and proper  
5 identification of a consumer, to provide a certain credit score to the consumer;  
6 prohibiting a consumer reporting agency from imposing a fee for providing a  
7 credit score to a consumer one time during a certain period of time; authorizing  
8 a consumer reporting agency to charge a consumer a certain fee for a second or  
9 subsequent credit score provided to the consumer during a certain period of  
10 time; prohibiting the user of a consumer report on a consumer from taking any  
11 adverse action against the consumer under certain circumstances; making  
12 certain stylistic and clarifying changes; and generally relating to consumer  
13 reporting agencies and consumer reports.

14 BY repealing and reenacting, with amendments,  
15 Article – Commercial Law  
16 Section 14–1206(a) and 14–1209  
17 Annotated Code of Maryland  
18 (2005 Replacement Volume and 2010 Supplement)

19 BY adding to  
20 Article – Commercial Law  
21 Section 14–1212(d)  
22 Annotated Code of Maryland  
23 (2005 Replacement Volume and 2010 Supplement)

24 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
25 MARYLAND, That the Laws of Maryland read as follows:

26 **Article – Commercial Law**

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 14–1206.

2 (a) A consumer reporting agency shall, upon request and proper  
3 identification of a consumer, provide the consumer:

4 (1) An exact copy of any file on [that] **THE** consumer except any part  
5 of the file [which] **THAT** contains medical information;

6 **(2) ANY CREDIT SCORE OF THE CONSUMER THAT WAS**  
7 **CALCULATED BY THE CONSUMER REPORTING AGENCY OR BY ANOTHER PERSON**  
8 **AND FURNISHED TO THE CONSUMER REPORTING AGENCY;**

9 **[(2)] (3)** A written explanation of codes or trade language used;

10 **[(3)] (4)** A description of the rights of the consumer under this  
11 subtitle; and

12 **[(4)] (5)** The name, address, and telephone number of the  
13 Commissioner.

14 14–1209.

15 (a) Notwithstanding the provisions of subsection (b) of this section, a  
16 consumer reporting agency may not impose a fee for:

17 (1) A consumer report **OR CREDIT SCORE** provided under §  
18 14–1206(a) of this subtitle one time during a 12–month period;

19 (2) A consumer report or disclosure provided under §§ 14–1206(a) and  
20 14–1208(e) of this subtitle if the consumer makes a request for the report within 30  
21 days after receipt by the consumer of a notification under § 14–1212 of this subtitle or  
22 notification from a debt collection agency affiliated with a consumer reporting agency  
23 stating that the consumer’s credit rating may be or has been adversely affected; or

24 (3) A disclosure made under § 14–1208(e) of this subtitle to a person  
25 designated by the consumer of the deletion from the consumer report of information  
26 that is found to be inaccurate or can no longer be verified.

27 (b) (1) A consumer reporting agency may charge a consumer a reasonable  
28 fee:

29 (i) For a second or subsequent **CONSUMER** report [made] **OR**  
30 **CREDIT SCORE PROVIDED** during a 12–month period under § 14–1206(a) of this  
31 subtitle, not exceeding \$5; and

1                   (ii) For furnishing information under § 14–1208(e) of this  
2 subtitle, not exceeding the fee that the consumer reporting agency would impose on  
3 each designated recipient for a consumer report.

4                   (2) The consumer reporting agency shall indicate the amount of the  
5 fee to the consumer before providing the **CONSUMER** report **OR CREDIT SCORE** or  
6 furnishing the information.

7 14–1212.

8                   **(D) THE USER OF A CONSUMER REPORT ON A CONSUMER MAY NOT**  
9 **TAKE ANY ADVERSE ACTION AGAINST THE CONSUMER BASED SOLELY ON THE**  
10 **NUMBER OF REQUESTS MADE TO A CONSUMER REPORTING AGENCY TO FURNISH**  
11 **A CONSUMER REPORT ON THE CONSUMER.**

12                   SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
13 October 1, 2011.