

# HOUSE BILL 994

I2, I3

3lr2326

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By: **Delegates Healey and Williams**

Introduced and read first time: February 10, 2023

Assigned to: Economic Matters

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## A BILL ENTITLED

1 AN ACT concerning

2 **Consumer Reporting Agencies – Records of Criminal Proceedings – Prohibition**

3 FOR the purpose of prohibiting consumer reporting agencies from including in a consumer  
4 report certain records relating to a criminal proceeding involving a consumer;  
5 prohibiting consumer reporting agencies from relying on certain information to make  
6 a determination of the creditworthiness of a consumer; and generally relating to  
7 consumer reporting agencies and the reporting and use of consumer information.

8 BY adding to

9 Article – Commercial Law

10 Section 14–1203.1

11 Annotated Code of Maryland

12 (2013 Replacement Volume and 2022 Supplement)

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

15 **Article – Commercial Law**

16 **14–1203.1.**

17 **(A) A CONSUMER REPORTING AGENCY MAY NOT INCLUDE IN A CONSUMER**  
18 **REPORT:**

19 **(1) ANY RECORD OF A CRIMINAL PROCEEDING CONCERNING THE**  
20 **CONSUMER:**

21 **(I) IN WHICH THE CONSUMER WAS FALSELY ACCUSED,**  
22 **ACQUITTED, OR EXONERATED;**

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1                   **(II) IN WHICH A NOLLE PROSEQUI WAS ENTERED AS TO A**  
2 **CHARGE CONCERNING THE CONSUMER; OR**

3                   **(III) THAT DID NOT RESULT IN A GUILTY VERDICT FOR OR**  
4 **GUILTY PLEA BY THE CONSUMER; OR**

5                   **(2) ANY CRIMINAL RECORDS CONCERNING THE CONSUMER THAT**  
6 **HAVE BEEN EXPUNGED.**

7                   **(B) A CONSUMER REPORTING AGENCY MAY NOT RELY ON THE**  
8 **INFORMATION CONTAINED IN RECORDS LISTED UNDER SUBSECTION (A) OF THIS**  
9 **SECTION TO MAKE A DETERMINATION REGARDING THE CREDITWORTHINESS OF A**  
10 **CONSUMER.**

11                   SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
12 October 1, 2023.