

114TH CONGRESS  
1ST SESSION

# S. 1773

To amend title 11, United States Code, to require creditors to inform consumer reporting agencies that certain debts have been discharged in bankruptcy cases.

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## IN THE SENATE OF THE UNITED STATES

JULY 15, 2015

Mr. BROWN (for himself, Mr. MERKLEY, Mr. BLUMENTHAL, Mr. DURBIN, and Mr. FRANKEN) introduced the following bill; which was read twice and referred to the Committee on the Judiciary

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## A BILL

To amend title 11, United States Code, to require creditors to inform consumer reporting agencies that certain debts have been discharged in bankruptcy cases.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Consumer Reporting  
5 Fairness Act of 2015”.

6 **SEC. 2. DISCHARGE OF DEBT IN BANKRUPTCY.**

7 Section 525 of title 11, United States Code, is  
8 amended by adding at the end the following:

1       “(d) If a creditor has provided or furnished to a con-  
2 sumer reporting agency, as defined in section 603 of the  
3 Fair Credit Reporting Act (15 U.S.C. 1681a), any item  
4 of information pertaining to an account based on a debt  
5 discharged in a case under this title, the creditor shall in-  
6 form the consumer reporting agency that the debt has  
7 been discharged in bankruptcy and has a zero balance.

8       “(e) An individual injured by any willful violation of  
9 this section—

10           “(1) shall recover actual damages, including  
11 costs and attorneys’ fees; and

12           “(2) in appropriate circumstances, may recover  
13 punitive damages.

14       “(f) Nothing in this section shall be construed to pro-  
15 hibit the reporting of payments on a mortgage loan,  
16 whether or not the debtor has reaffirmed that loan.”.

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