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DISCLOSURE OF CREDIT REPORTS TO CONSUMERS

House Bill 5885

Sponsor: Rep. Liz Brater

Committee: Consumer Protection

Complete to 5-26-98

A SUMMARY OF HOUSE BILL 5885 AS INTRODUCED 5-21-98

House Bill 5885 would create a new act to require consumer reporting agencies, sometimes known as credit reporting agencies, to provide an individual with the information contained in his or her file upon request. The bill would apply to consumer reporting agencies as defined in the Fair Credit Reporting Act (15 U.S.C. 1681a). After receiving a request from an individual along with information verifying his or her identity, a credit reporting agency would have to provide the individual with all of the information in the file pertaining to him or her. However, the agency would not be required to disclose any information concerning credit scores or other risk scores or predictors relating to the individual. The reporting agency would not be allowed to charge the consumer for the information, provided that the consumer had not made a previous request for the information or his or her previous request had been made more than one year prior to the current request.

If a consumer reporting agency violated the bill's provisions, a civil action could be brought against the agency. The affected individual could recover the greater of his or her actual damages or \$1,000, plus reasonable attorney fees; or any remedy or penalty authorized under the Fair Credit Reporting Act.

Analyst: W. Flory

■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.