

**SUBSTITUTE FOR
HOUSE BILL NO. 5018**

A bill to require certain credit reporting agencies to disclose certain information to certain consumers.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1. As used in this act:

2 (a) "Consumer" means an individual.

3 (b) "Consumer report" and "consumer reporting agency" mean
4 those terms as defined in section 603 of the fair credit report-
5 ing act, title VI of the consumer credit protection act, Public
6 Law 90-321, 15 U.S.C. 1681a.

7 (c) "Person" means an individual, partnership, corporation,
8 limited liability company, association, governmental entity, or
9 other legal entity.

10 (d) "Third party" means a person other than a consumer
11 reporting agency or a consumer who is the subject of a consumer
12 report prepared by the consumer reporting agency.

1 Sec. 2. (1) Upon a consumer's request and submission of
2 evidence that verifies his or her identity, a credit reporting
3 agency shall disclose to the consumer all information in the
4 consumer's file at the time of the request. If the credit
5 reporting agency has provided a third party with a credit report
6 on the consumer, the credit reporting agency shall provide the
7 requesting consumer with a copy of that report. Additionally,
8 the consumer reporting agency shall provide the consumer with the
9 identification of each third party that procured, or received
10 with the consumer reporting agency's knowledge, a report on the
11 consumer during the following periods:

12 (a) If the report was procured for employment purposes, the
13 2-year period immediately preceding the date of the consumer's
14 request.

15 (b) If the report was procured for any purpose other than
16 the purposes described in subdivision (a), the 1-year period
17 immediately preceding the date of the consumer's request.

18 (2) This section does not require a credit reporting agency
19 to disclose to the consumer any information concerning credit
20 scores or other risk scores or predictors relating to the
21 consumer.

22 (3) The identification of a third party required under sub-
23 section (1) includes all of the following:

24 (a) The name of the third party or, if applicable, the full
25 trade name under which the third party conducts business.

26 (b) Upon the consumer's request, the address and telephone
27 number of the third party.

HB5018, As Passed House, October 29, 1997

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1 Sec. 3. A consumer reporting agency that violates this act
2 is liable to a person injured by the violation for either of the
3 following:

4 (a) Actual damages or \$1,000.00, whichever is greater, plus
5 reasonable attorney fees.

6 (b) Any remedy or penalty authorized under the fair credit
7 reporting act, title VI of the consumer credit protection act,
8 Public Law 90-321, 15 U.S.C. 1681 to 1681u.