

HOUSE BILL No. 4753

May 15, 2007, Introduced by Rep. Cushingberry and referred to the Committee on Banking and Financial Services.

A bill to amend 1961 PA 236, entitled
"Revised judiciary act of 1961,"
(MCL 600.101 to 600.9947) by adding section 8309.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 SEC. 8309. (1) A CONSUMER MAY BRING AN ACTION IN THE DISTRICT
2 COURT AGAINST A CONSUMER REPORTING AGENCY FOR AN INCOMPLETE OR
3 INACCURATE ITEM OF INFORMATION CONTAINED IN THE CONSUMER'S FILE AT
4 THE CONSUMER REPORTING AGENCY. AN ACTION MAY NOT BE COMMENCED UNDER
5 THIS SUBSECTION UNLESS THE PROCEDURE FOR RESOLVING DISPUTES
6 CONCERNING THE COMPLETENESS OR ACCURACY OF SUCH ITEMS OF
7 INFORMATION UNDER SECTION 611 OF THE FAIR CREDIT REPORTING ACT, 15
8 USC 1681I, HAS BEEN COMPLETED.

1 (2) IN AN ACTION UNDER SUBSECTION (1), THE DISTRICT COURT HAS
2 JURISDICTION TO AWARD ANY DAMAGES ALLOWED UNDER THE FAIR CREDIT
3 REPORTING ACT, 15 USC 1681 TO 1681X, AND TO AWARD EQUITABLE RELIEF
4 THAT REQUIRES THE CONSUMER REPORTING AGENCY TO REMOVE AN INCOMPLETE
5 OR INACCURATE ITEM OF INFORMATION FROM THE CONSUMER'S FILE.

6 (3) THIS SECTION DOES NOT AFFECT THE POWER OF ANY OTHER COURT
7 WITH JURISDICTION TO HEAR AND DECIDE AN ACTION THAT COULD BE
8 BROUGHT UNDER THIS SECTION.

9 (4) AS USED IN THIS SECTION, "CONSUMER", "CONSUMER REPORTING
10 AGENCY", AND "FILE" MEAN THOSE TERMS AS DEFINED IN SECTION 603 OF
11 THE FAIR CREDIT REPORTING ACT, 15 USC 1681A.