

HOUSE BILL No. 5726

April 1, 1998, Introduced by Reps. Cassis, Birkholz, Johnson, Martinez, Cropsey, Bobier, Hammerstrom, Gire, Kelly, Jelinek, DeVuyst, Lowe, Whyman, Middleton and Perricone and referred to the Committee on Consumer Protection.

A bill to require certain consumer reporting agencies to disclose certain information to certain consumers without charge; and to provide for certain remedies and penalties.

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 Sec. 2. (1) Upon a consumer's request and submission of
11 evidence that verifies his or her identity, a consumer reporting

1 agency shall disclose to the consumer all information in the
2 consumer's file at the time of the request. If the consumer has
3 not previously made a request, or if the consumer makes the
4 request more than 1 year after making a prior request, the con-
5 sumer reporting agency shall disclose to the consumer all the
6 information in the consumer's file without charge.

7 (2) This section does not require a consumer reporting
8 agency to disclose to the consumer any information concerning
9 credit scores or other risk scores or predictors relating to the
10 consumer.

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

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

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