

# HOUSE BILL No. 4330

February 18, 2009, Introduced by Reps. Durhal, Miller, Cushingberry, Johnson, Tlaib, Young, Constan, Donigan, Sheltroun and Dean and referred to the Committee on Judiciary.

A bill to amend 1961 PA 236, entitled  
"Revised judicature 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.

9        (2) IN AN ACTION UNDER SUBSECTION (1), THE DISTRICT COURT HAS

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

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

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