

HOUSE BILL No. 4094

January 26, 2017, Introduced by Rep. Kosowski and referred to the Committee on Financial Services.

A bill to amend 2013 PA 229, entitled
"Security freeze act,"
by amending section 31 (MCL 445.2541).

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 31. (1) A consumer reporting agency may charge the
2 following fees:

3 (a) Subject to subsection (2), a fee that does not exceed
4 \$10.00 for the placement, temporary lifting, or removal of a
5 security freeze for a consumer under article 2.

6 (b) Subject to subsection (3), a fee that does not exceed
7 \$10.00 for the placement or removal of a security freeze for a
8 protected consumer under article 3, charged to a protected consumer
9 or his or her representative.

10 (2) A consumer reporting agency may not charge a fee

1 authorized under subsection (1) (a) to a consumer for the placement,
2 temporary lifting, or removal of a security freeze for a consumer
3 under article 2 if the consumer **MEETS ANY OF THE FOLLOWING:**

4 **(A) HE OR SHE** has filed a police report of alleged identity
5 theft against the consumer under section 4a, 33b, or 64a of the
6 William Van Regenmorter crime victim's rights act, 1985 PA 87, MCL
7 780.754a, 780.783b, and 780.814a, and provides a copy of the report
8 to the consumer reporting agency.

9 **(B) HE OR SHE IS A MEMBER OF THE ARMED FORCES OF THE UNITED**
10 **STATES WHO IS ON ACTIVE DUTY.**

11 (3) A consumer reporting agency may not charge a fee
12 authorized under subsection (1) (b) if either of the following ~~are~~
13 **IS** met:

14 (a) The protected consumer or his or her representative has
15 filed a police report of alleged identity theft against the
16 protected consumer under section 4a, 33b, or 64a of the William Van
17 Regenmorter crime victim's rights act, 1985 PA 87, MCL 780.754a,
18 780.783b, and 780.814a, and provides a copy of the report to the
19 consumer reporting agency.

20 (b) The request for the placement or removal of a security
21 freeze is for a protected consumer who is under the age of 16 years
22 at the time of the request and the consumer reporting agency has a
23 credit report pertaining to the protected consumer.

24 Enacting section 1. This amendatory act takes effect 90 days
25 after the date it is enacted into law.