

SECURITY FREEZE ACT (EXCERPT)
Act 229 of 2013

445.2512 Definitions.

Sec. 2. As used in this act:

- (a) "Consumer" means an individual who resides in this state.
- (b) "Consumer reporting agency" means any person that, for monetary fees or dues or on a cooperative nonprofit basis, regularly engages in whole or in part in the practice of assembling or evaluating consumer credit information or other information on consumers for the purpose of furnishing credit reports to third parties and that uses any means or facility of interstate commerce for the purpose of preparing or furnishing credit reports.
- (c) "Credit report" means any written, oral, or other communication of any information by a consumer reporting agency that is related to a consumer's creditworthiness, credit standing, or credit capacity, and is issued or expected to be used or collected in whole or in part for the purpose of serving as a factor in establishing the consumer's eligibility for credit.
- (d) "File" means all of the information about a consumer that is recorded and retained by a consumer reporting agency regardless of how the information is stored.
- (e) "Protected consumer" means either of the following:
 - (i) An individual who is under 16 years of age at the time a request for the placement of a security freeze is made.
 - (ii) An incapacitated person or a protected person for whom a guardian or conservator has been appointed has been appointed under article V of the estates and protected individuals code, 1998 PA 386, MCL 700.5101 to 700.5520.
- (f) "Record" means a compilation of information that meets all of the following:
 - (i) Identifies a protected consumer.
 - (ii) Is created by a consumer reporting agency solely for the purpose of complying with article 3.
 - (iii) May not be created or used to consider the protected consumer's creditworthiness, credit standing, credit capacity, character, general reputation, personal characteristics, or mode of living for any purpose authorized under section 604 of the fair credit reporting act, 15 USC 1681b.
- (g) "Representative" means an individual who provides to a consumer reporting agency sufficient proof of authority to act on behalf of a protected consumer.
- (h) "Security freeze" means a restriction placed on a consumer's credit report at the request of the consumer that prohibits a consumer reporting agency from releasing the consumer's credit report or any information derived from the consumer's credit report without the express authorization of or on behalf of the consumer.
 - (i) "Security freeze for a protected consumer" means any of the following:
 - (i) If a consumer reporting agency does not have a file pertaining to a protected consumer, a security freeze that meets both of the following:
 - (A) Is placed on the protected consumer's record under this act.
 - (B) Prohibits the consumer reporting agency from releasing the protected consumer's record except as provided in this act.
 - (ii) If a consumer reporting agency has a file pertaining to the protected consumer, a security freeze that meets both of the following:
 - (A) Is placed on the protected consumer's credit report under this act.
 - (B) Prohibits the consumer reporting agency from releasing the protected consumer's credit report or any information derived from the protected consumer's credit report except as provided in this act.
 - (j) "Sufficient proof of authority" means documentation that shows that a representative has authority to act on behalf of a protected consumer, including, but not limited to, any of the following:
 - (i) An order issued by a court of law.
 - (ii) A lawfully executed and valid power of attorney.
 - (iii) A written, notarized statement signed by a representative that expressly describes the authority of the representative to act on behalf of a protected consumer.
 - (k) "Sufficient proof of identification" means information or documentation that identifies a consumer, a protected consumer, or a representative of a protected consumer, including, but not limited to, any of the following:
 - (i) A social security number or a copy of a social security card issued by the social security administration.
 - (ii) A certified or official copy of a birth certificate issued by the entity authorized to issue the birth

certificate.

(iii) A copy of an operator's license or chauffeur's license issued under the Michigan vehicle code, 1949 PA 300, MCL 257.1 to 257.923, an official state personal identification card issued under 1972 PA 222, MCL 28.291 to 28.300, or any other government-issued identification.

History: 2013, Act 229, Eff. Jan. 1, 2014.