

# ASSEMBLY, No. 5166

## STATE OF NEW JERSEY 218th LEGISLATURE

INTRODUCED MARCH 11, 2019

**Sponsored by:**

**Assemblyman P. CHRISTOPHER TULLY**

**District 38 (Bergen and Passaic)**

**Assemblywoman LISA SWAIN**

**District 38 (Bergen and Passaic)**

**Assemblywoman BRITNEE N. TIMBERLAKE**

**District 34 (Essex and Passaic)**

**SYNOPSIS**

Prohibits consumer reporting agencies from making reports containing adverse information related to employees affected by federal government shutdown.

**CURRENT VERSION OF TEXT**

As introduced.



(Sponsorship Updated As Of: 3/26/2019)

1 AN ACT concerning consumer reporting agencies and  
2 supplementing P.L.1997, c.172 (C.56:11-28 et seq.).  
3

4 **BE IT ENACTED** by the Senate and General Assembly of the State  
5 of New Jersey:  
6

7 1. a. No consumer reporting agency shall include any adverse  
8 information that is a result of the federal government shutdown in a  
9 consumer report pertaining to an affected employee who provides  
10 the agency with notice pursuant to subsection b. of this section.

11 b. (1) An affected employee may contact any consumer  
12 reporting agency and request that the agency disregard any adverse  
13 information related to the employee obtained by the agency for the  
14 period beginning on December 22, 2018 and ending on March 1,  
15 2019. The employee shall include in the request a copy of proof of  
16 employment as an affected employee. In the case of an affected  
17 employee that is employed by a contractor with the federal  
18 government, the proof of employment shall include documentation  
19 that the employee's pay was suspended during the federal  
20 government shutdown.

21 (2) Any consumer reporting agency that receives a request  
22 pursuant to paragraph (1) of this subsection shall respond to the  
23 affected employee and the Director of the Division of Consumer  
24 Affairs in the Department of Law and Public Safety within 5 days  
25 of receiving the request.

26 c. No charge shall be imposed by a consumer reporting agency  
27 pursuant to section 10 of P.L.1997, c.172 (C.56:11-37) with respect  
28 to a request made by a consumer pursuant to this section.

29 d. As used in this section:

30 "Affected employee" means a federal employee who, during the  
31 federal government shutdown, is a resident of this State, and has  
32 been required to work as a federal employee without pay or has  
33 been furloughed as a federal employee without pay. "Affected  
34 employee" also means an employee of a contractor with the federal  
35 government whose pay was suspended during the federal  
36 government shutdown as a result of that shutdown.

37 "Federal government shutdown" means the federal fiscal year  
38 2019 partial government shutdown that began on December 22,  
39 2018.  
40

41 2. This act shall take effect immediately and be retroactive to  
42 December 22, 2018.  
43  
44

45 STATEMENT  
46

47 This bill supplements the "New Jersey Fair Credit Reporting  
48 Act" to provide that no consumer reporting agency shall include in

1 any consumer report any adverse information that is a result of the  
2 federal fiscal year 2019 partial government shutdown that began on  
3 December 22, 2018, with respect to an affected employee who  
4 provides the agency notice pursuant to the bill.

5 Under the bill, an affected employee may contact any consumer  
6 reporting agency and request that the agency disregard any adverse  
7 information related to the employee obtained by the agency for the  
8 period beginning on December 22, 2018 and ending on March 1,  
9 2019. The employee shall include in the request a copy of proof of  
10 employment as an affected employee. In the case of an affected  
11 employee that is employed by a contractor with the federal  
12 government, the proof of employment shall include documentation  
13 that the employee's pay was suspended during the federal  
14 government shutdown.

15 The bill requires any consumer reporting agency that receives a  
16 request to respond to the affected employee and the Director of the  
17 Division of Consumer Affairs in the Department of Law and Public  
18 Safety within 5 days of receiving the request.

19 Under the bill, an "affected employee" is a federal employee  
20 who, during the federal fiscal year 2019 partial government  
21 shutdown that began on December 22, 2018, is a resident of this  
22 State, and has been required to work as a federal employee without  
23 pay or has been furloughed as a federal employee without pay.

24 The bill prohibits a consumer reporting agency from imposing  
25 any charge with respect to a request made by a consumer pursuant  
26 to the bill.