

SENATE, No. 284

STATE OF NEW JERSEY 219th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2020 SESSION

Sponsored by:

Senator JOSEPH PENNACCHIO

District 26 (Essex, Morris and Passaic)

SYNOPSIS

Requires consumer reporting agencies to provide a consumer with a free credit report three times during any 12-month period upon request.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



1 AN ACT concerning consumer credit reports and amending
2 P.L.1997, c.172.

3

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

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7 1. Section 10 of P.L.1997, c.172 (C.56:11-37) is amended to
8 read as follows:

9 10. a. Except as provided in subsections b., c., d. and e. of this
10 section, a consumer reporting agency may impose a reasonable
11 charge on a consumer for:

12 (1) making a disclosure to the consumer pursuant to section 7 of
13 this act if the request is the **[second]** fourth or subsequent request
14 in a 12-month period of time and is not made pursuant to subsection
15 b. of this section; the charge for this disclosure shall not exceed \$8
16 and shall be indicated to the consumer before making the
17 disclosure;

18 (2) furnishing to a person designated by the consumer pursuant
19 to subsection k. of section 9 of this act a statement, codification, or
20 summary filed or developed under subsection i. or j. of section 9 of
21 this act, after notification of the consumer under subsection f. of
22 section 9 of this act with respect to the reinvestigation; this charge
23 shall not exceed the charge that the agency would impose on each
24 designated recipient for a consumer report and shall be indicated to
25 the consumer before furnishing this information.

26 b. Each consumer reporting agency that maintains a file on a
27 consumer shall make all disclosures required pursuant to section 7
28 of this act without charge to the consumer if, not later than 60 days
29 after receipt by the consumer of a notification of an adverse action
30 or notification from a debt collection agency affiliated with the
31 consumer reporting agency stating that the consumer's credit rating
32 may be or has been adversely affected, the consumer makes a
33 request under section 7 of this act.

34 c. Upon the request of the consumer, a consumer reporting
35 agency shall make all disclosures required pursuant to section 7 of
36 this act **[once]** three times during any 12-month period without
37 charge to the consumer.

38 d. A consumer reporting agency shall not impose any charge on
39 a consumer for providing any notification required by this act,
40 including but not limited to, the notification required pursuant to
41 subsection k. of section 9 of this act following deletion of
42 information from a consumer's file pursuant to section 9 of this act,
43 or making any disclosure required by this act, except as authorized
44 by subsection a. of this section.

EXPLANATION – Matter enclosed in bold-faced brackets **[thus] in the above bill is not enacted and is intended to be omitted in the law.**

Matter underlined thus is new matter.

1 e. Upon request of the consumer, a consumer reporting agency
2 shall make all disclosures required pursuant to section 7 of this act
3 once during any 12-month period without charge to that consumer if
4 the consumer certifies in writing that the consumer:

5 (1) is unemployed and intends to apply for employment in the
6 60-day period beginning on the date on which certification is made;

7 (2) is a recipient of assistance under the Work First New Jersey
8 Program;

9 (3) has reason to believe that the file on the consumer at the
10 agency contains inaccurate information due to fraud; or

11 (4) has been a victim of a violation of N.J.S.2C:21-1, section 1
12 of P.L.1983, c.565 (2C:21-2.1) or N.J.S.2C:21-17 and the court has
13 ordered the deletion of those items of information that were the
14 result of the unlawful use of the victim's personal identifying
15 information.

16 (cf: P.L.2003, c.184, s.9)

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18 2. This act shall take effect immediately.

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STATEMENT

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23 This bill requires consumer reporting agencies to provide the
24 consumer with a free credit report three times during any 12-month
25 period upon the request of a consumer. Current law requires the
26 credit report to be provided without charge once during any 12-
27 month period.