

By: Representative Banks

To: Banking and Financial Services

HOUSE BILL NO. 1261

1 AN ACT TO AMEND SECTION 75-24-201, MISSISSIPPI CODE OF 1972,
2 TO DELETE THE REQUIREMENT THAT A CONSUMER MUST PROVIDE TO A
3 CONSUMER REPORTING AGENCY A LAW ENFORCEMENT REPORT REGARDING THE
4 UNLAWFUL USE OF THE CONSUMER'S PERSONAL INFORMATION BEFORE THE
5 CONSUMER MAY HAVE A SECURITY FREEZE PLACED ON HIS OR HER CONSUMER
6 FILE; AND FOR RELATED PURPOSES.

7 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

8 **SECTION 1.** Section 75-24-201, Mississippi Code of 1972, is
9 amended as follows:

10 75-24-201. (1) On written request sent by certified mail
11 that includes proper identification provided by a consumer * * *,
12 a consumer reporting agency shall place a security freeze on a
13 consumer's consumer file not later than the fifth business day
14 after the date the agency receives the request. A reporting
15 agency may charge a consumer a reasonable fee not to exceed Ten
16 Dollars (\$10.00) to place a security freeze in his file.

17 (2) On written request for a security freeze provided by a
18 consumer under subsection (1), a consumer reporting agency shall
19 disclose to the consumer the process of placing, removing and
20 temporarily lifting a security freeze and the process for allowing
21 access to information from the consumer's file with the consumer
22 reporting agency for a specific requester or period while the
23 security freeze is in effect.

24 (3) A consumer reporting agency shall, not later than the
25 tenth business day after the date the agency receives the request
26 for a security freeze:

27 (a) Send a written confirmation of the security freeze
28 to the consumer; and



29 (b) Provide the consumer with a unique personal
30 identification number or password to be used by the consumer to
31 authorize a removal or temporary lifting of the security freeze
32 under Section 75-24-207.

33 (4) A consumer may request in writing a replacement personal
34 identification number or password. The request must comply with
35 the requirements for requesting a security freeze under subsection
36 (1). The consumer reporting agency shall, not later than the
37 third business day after the date the agency receives the request
38 for a replacement personal identification number or password,
39 provide the consumer with a new unique personal identification
40 number or password to be used by the consumer instead of the
41 number or password that was provided under subsection (3).

42 (5) As used in Sections 75-24-201 through 75-24-217, the
43 term "security freeze" means a notice that (a) prohibits a
44 consumer reporting agency from releasing all or any part of a
45 consumer report or any information derived from a consumer report
46 relating to the extension of credit, and (b) is placed in the file
47 retained by the consumer reporting agency on that consumer at the
48 consumer's request under to subsection (1).

49 **SECTION 2.** This act shall take effect and be in force from
50 and after July 1, 2011.

