

By: Representatives Banks, Paden

To: Banking and Financial Services

HOUSE BILL NO. 647

1 AN ACT TO PROHIBIT CONSUMER CREDIT REPORTING AGENCIES AND
2 AUTHORIZED RECIPIENTS OF CONSUMER CREDIT REPORTS FROM RELEASING A
3 CONSUMER'S CREDIT REPORT OR INFORMATION CONTAINED IN THE REPORT
4 ABSENT WRITTEN AUTHORIZATION FROM THE CONSUMER; AND FOR RELATED
5 PURPOSES.

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

7 **SECTION 1.** (1) As used in this section, the following words
8 and phrases have the meanings ascribed in this subsection unless
9 the context clearly indicates otherwise:

10 (a) "Consumer" means a natural person residing in this
11 state.

12 (b) "Consumer credit report" means a consumer report,
13 as defined in 15 U.S.C. Section 1681a(d), that a consumer credit
14 reporting agency furnishes to a person which the agency has reason
15 to believe intends to use the information as a factor in
16 establishing the consumer's eligibility for credit to be used
17 primarily for personal, family or household purposes.

18 (c) "Consumer credit reporting agency" means any person
19 who, for monetary fees, dues or on a cooperative nonprofit basis,



20 regularly engages in whole or in part in the practice of
21 assembling or evaluating consumer credit information or other
22 information on consumers for the purpose of furnishing consumer
23 credit reports to third parties.

24 (d) "Person" means any individual, partnership,
25 corporation, trust, estate, cooperative, association, government
26 or political subdivision or agency, or other entity.

27 (2) A consumer credit reporting agency may not provide a
28 consumer credit report or any information contained in a consumer
29 credit report on a consumer to a person unless the consumer has
30 authorized, in writing, the consumer credit reporting agency to
31 release the consumer credit report to a recipient specifically
32 named by the consumer.

33 (3) A recipient of a consumer credit report authorized by a
34 consumer to receive the report may not release the report or any
35 information contained in the report to any other person unless the
36 consumer has authorized, in writing, the recipient of the consumer
37 credit report to release information contained in the consumer
38 credit report. The consumer shall specify to whom the information
39 in the consumer credit report may be released and may limit the
40 scope of the information that the consumer is authorizing to be
41 released from the consumer credit report.

42 (4) A consumer who wishes to allow the consumer's credit
43 report to be accessed for a specific period of time may contact a
44 consumer credit reporting agency to authorize the agency to



45 release the credit report without further authorization from the
46 consumer. The request must provide all of the following:

47 (a) Proper identification;

48 (b) The specific time period for which the report will
49 be available to users of the consumer credit report; and

50 (c) Any person to whom the consumer credit report may
51 not be released.

52 (5) A consumer credit reporting agency shall develop
53 procedures involving the use of telephone, the Internet or other
54 electronic media to receive and process requests from consumers
55 made pursuant to subsection (4).

56 **SECTION 2.** Section 1 of this act shall be codified as a new
57 section in Chapter 24, Title 75, Mississippi Code of 1972.

58 **SECTION 3.** This act shall take effect and be in force from
59 and after July 1, 2018.

