

By: Senator(s) Bryan

To: Judiciary, Division A

SENATE BILL NO. 2659

1 AN ACT TO AMEND SECTIONS 75-24-201 AND 75-24-207, MISSISSIPPI
2 CODE OF 1972, TO REVISE THE METHOD TO REQUEST A SECURITY FREEZE
3 AND PROHIBIT A CONSUMER REPORTING AGENCY FROM CHARGING A FEE; AND
4 FOR RELATED PURPOSES.

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

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

8 75-24-201. (1) * * * A consumer may place a security freeze
9 on the consumer's credit report by making a request to a consumer
10 reporting agency in accordance with this subsection. A consumer
11 reporting agency shall place a security freeze on a consumer's
12 credit report if the consumer requests a security freeze by any of
13 the following methods:

14 (a) First-class mail;
15 (b) Telephone call;
16 (c) Secure website or secure electronic mail
17 connection.



18 A consumer reporting agency may not charge a fee for placing,
19 removing or suspending for a specific party or period of time a
20 security freeze on a consumer report.

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

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

31 (a) Send a written confirmation of the security freeze
32 to the consumer; and

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

37 (4) A consumer may request in writing a replacement personal
38 identification number or password. * * * The consumer reporting
39 agency shall, not later than the third business day after the date
40 the agency receives the request for a replacement personal
41 identification number or password, provide the consumer with a new
42 unique personal identification number or password to be used by



the consumer instead of the number or password that was provided under subsection (3).

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

SECTION 2. Section 75-24-207, Mississippi Code of 1972, is amended as follows:

75-24-207. (1) On a request in writing or by telephone and with proper identification provided by a consumer, including the consumer's personal identification number or password provided under Section 75-24-201, a consumer reporting agency shall remove a security freeze within three (3) business days after the agency receives the request.

(2) On a request in writing or by telephone and with proper identification provided by a consumer, including the consumer's personal identification number or password provided under Section 75-24-201, a consumer reporting agency shall, within three (3) business days after the agency receives the request, temporarily lift the security freeze for:

(a) A certain properly designated period; or

(b) A certain properly identified requester.



68 (3) A consumer reporting agency may develop procedures
69 involving the use of a telephone, a facsimile machine, the
70 Internet or another electronic medium to receive and process a
71 request from a consumer under this section.

72 (4) A consumer reporting agency shall remove a security
73 freeze placed on a consumer file if the security freeze was placed
74 due to a material misrepresentation of fact by the consumer. The
75 consumer reporting agency shall notify the consumer in writing
76 before removing the security freeze under this subsection.

77 (5) A consumer reporting agency may not charge a fee for a
78 request under * * * this section as provided under Section
79 75-24-201.

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

