

1 TO THE HONORABLE SENATE:

2 The Committee on Economic Development, Housing and General Affairs to
3 which was referred House Bill No. 593 entitled “An act relating to
4 miscellaneous consumer protection provisions” respectfully reports that it has
5 considered the same and recommends that the Senate propose to the House that
6 the bill be amended as follows:

7 First: In Sec. 4, in 9 V.S.A. § 2480a, by striking out subdivision (12) in its
8 entirety and inserting in lieu thereof a new subdivision (12) to read:

9 (12) “Protected consumer” means a natural person who at the time a
10 request for a security freeze is made is:

11 (A) under 16 years of age;

12 (B) an incapacitated person; or

13 (C) a protected person.

14 Second: In Sec. 4, in 9 V.S.A. § 2480a, by striking out subdivision (18) in
15 its entirety and inserting in lieu thereof a new subdivision (18) to read:

16 (18) “Sufficient proof of authority” means documentation that shows
17 that a person has authority to act on behalf of a protected consumer, including:

18 (A) a birth certificate;

19 (B) a court order;

20 (C) a lawfully executed power of attorney; or

1 (D) a written, notarized statement signed by the person that expressly
2 describes the person’s authority to act on behalf of the protected consumer.

3 Third: In Sec. 5, in 9 V.S.A. § 2483a, by striking out subsection (a) in its
4 entirety and inserting in lieu thereof a new subsection (a) to read:

5 (a) A consumer reporting agency shall place a security freeze for a
6 protected consumer **if the protected consumer’s representative submits** a
7 request, including proper authority, to the address and in the manner specified
8 by the consumer reporting agency.

9 Fourth: In Sec. 5, in 9 V.S.A. § 2483a, by striking out subsection (c) in its
10 entirety and inserting in lieu thereof a new subsection (c) to read:

11 (c)(1) The credit reporting agency shall:

12 (A) place a security freeze not later than 30 days after the date the
13 agency receives a request pursuant to subsection (a) of this section; and

14 (B) not later than 10 business days after placing the freeze:

15 (i) send a written confirmation of the security freeze to the
16 protected consumer or the protected consumer’s representative; and

17 (ii) provide a unique personal identification number or password,
18 other than a Social Security number, or another method of authentication that
19 is equally or more secure than a PIN or password, to be used to authorize the
20 release of the protected consumer’s credit for a specific party, parties, or period
21 of time.

1 (2) If a protected consumer's representative requests that a security
2 freeze be placed on the protected consumer's credit file or record, the credit
3 reporting agency shall initiate placement of the freeze with other credit
4 reporting agencies that compile and maintain files on consumers on a
5 nationwide basis, unless the protected consumer's representative elects not to
6 have the security freeze applied to other credit reporting agencies.

7 Fifth: In Sec. 5, in 9 V.S.A. § 2483a, by striking out subsection (d) in its
8 entirety and inserting in lieu thereof a new subsection (d) to read:

9 (d)(1) A credit reporting agency shall lift temporarily a protected consumer
10 security freeze to allow access by a specific party or parties or for a specific
11 period of time, upon a request from the protected consumer's representative.

12 (2) The protected consumer's representative shall submit the request to
13 the address and in the manner specified by the consumer reporting agency.

14 (3) The request shall include:

15 (A) proper authority; and

16 (B) the unique personal identification number, password, or other
17 method of authentication provided by the credit reporting agency pursuant to
18 subsection (c) of this section.

19 Sixth: In Sec. 5, in 9 V.S.A. § 2483a, by striking out subsection (j) in its
20 entirety and inserting in lieu thereof a new subsection (j) to read:

1 (j)(1) A protected consumer security freeze shall remain in place until the
2 credit reporting agency receives a request to remove the freeze from:

3 (A) the protected consumer’s representative; or

4 (B) the consumer who is subject to the protected consumer security
5 freeze.

6 (2) A credit reporting agency shall remove a protected consumer
7 security freeze within three business days after receiving a proper request for
8 removal.

9 (3) The party requesting the removal of a protected consumer security
10 freeze pursuant to subdivision (1) of this subsection shall submit the request to
11 the address and in the manner specified by the consumer reporting agency.

12 (4) The request shall include:

13 (A) proper authority; and

14 (B) the unique personal identification number, password, or other
15 method of authentication provided by the credit reporting agency pursuant to
16 subsection (c) of this section.

17

18

19

20 (Committee vote: _____)

1

2

Senator _____

3

FOR THE COMMITTEE