

HOUSE BILL No. 1093

DIGEST OF INTRODUCED BILL

Citations Affected: IC 24-5-24.6.

Synopsis: Consumer information protection. Provides that certain consumers may submit proper identification to a credit reporting agency, request certain information, and submit a dispute with the credit reporting agency. Specifies that if a consumer provides proper identification, the credit reporting agency shall: (1) verify the consumer's identity with the federal Social Security Administration; (2) conduct a search of all files maintained by the consumer reporting agency; (3) provide the consumer with certain information from the Social Security number search; (4) investigate a dispute submitted by the consumer; and (5) take all lawful actions to remove the consumer's verified Social Security number from files not associated with the consumer. Allows the attorney general to collaborate with consumer reporting agencies to create an online portal for consumers to use for submitting a Social Security number search request. Provides that a consumer reporting agency may not charge a consumer for making a request or submitting a dispute.

Effective: July 1, 2023.

Lauer

January 9, 2023, read first time and referred to Committee on Financial Institutions.



First Regular Session of the 123rd General Assembly (2023)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2022 Regular Session of the General Assembly.

HOUSE BILL No. 1093

A BILL FOR AN ACT to amend the Indiana Code concerning trade regulation.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 24-5-24.6 IS ADDED TO THE INDIANA CODE
2 AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2023]:

4 **Chapter 24.6. Use of a Consumer's Social Security Number In**
5 **Credit Files**

6 **Sec. 1. This chapter applies to a consumer reporting agency that**
7 **regularly engages in the practice of assembling or evaluating, and**
8 **maintaining, each of the following regarding consumers residing**
9 **nationwide, for the purpose of furnishing to third parties,**
10 **consumer reports bearing on a consumer's creditworthiness, credit**
11 **standing, or credit capacity:**

- 12 (1) **Public record information.**
13 (2) **Credit account information from persons who furnish that**
14 **information regularly and in the ordinary course of business.**

15 **Sec. 2. (a) As used in this chapter, "consumer" means an**
16 **individual whose principal residence is in Indiana.**

17 (b) **The term includes the following:**



- 1 **(1) A protected consumer.**
2 **(2) A representative acting on behalf of a protected consumer.**
3 **Sec. 3. As used in this chapter, "consumer report" has the**
4 **meaning set forth in IC 24-5-24-2.**
5 **Sec. 4. As used in this chapter, "consumer reporting agency"**
6 **has the meaning set forth in IC 24-5-24-3.**
7 **Sec. 5. As used in this chapter, "file", when used in connection**
8 **with information on a consumer, means all the information on the**
9 **consumer that is recorded and retained by a consumer reporting**
10 **agency, regardless of how the information is stored.**
11 **Sec. 6. As used in this chapter, "proper identification", with**
12 **respect to a Social Security number search request, means the**
13 **consumer's:**
14 **(1) name;**
15 **(2) social security number; and**
16 **(3) date of birth.**
17 **Sec. 7. As used in this chapter, "protected consumer" has the**
18 **meaning set forth in IC 24-5-24.5-4.**
19 **Sec. 8. As used in this chapter, "representative" has the**
20 **meaning set forth in IC 24-5-24.5-6.**
21 **Sec. 9. As used in this chapter, "Social Security number search**
22 **request" refers to a request made by a consumer to a consumer**
23 **reporting agency for the consumer reporting agency to conduct a**
24 **search of all files maintained by the consumer reporting agency to**
25 **determine if a consumer's Social Security number is associated**
26 **with one (1) or more files not associated with the consumer.**
27 **Sec. 10. (a) If a consumer believes the consumer's Social**
28 **Security number has been used, whether by mistake or fraud, in a**
29 **file not associated with the consumer, the consumer may:**
30 **(1) submit proper identification to a consumer reporting**
31 **agency;**
32 **(2) make a Social Security number search request; and**
33 **(3) dispute the use of the consumer's Social Security number**
34 **in files not associated with the consumer.**
35 **(b) If the consumer provides proper identification to the**
36 **consumer reporting agency, the consumer reporting agency shall**
37 **do the following:**
38 **(1) Verify the consumer's identification with the Social**
39 **Security number verification service provided by the federal**
40 **Social Security Administration.**
41 **(2) Conduct a search of all files maintained by the consumer**
42 **reporting agency to determine if the consumer's Social**



- 1 **Security number is used in one (1) or more files not associated**
2 **with the consumer.**
- 3 **(3) Provide the consumer with information regarding other**
4 **current files with the consumer's Social Security number.**
- 5 **(4) Investigate a dispute submitted by the consumer regarding**
6 **the use of the consumer's Social Security number in a file not**
7 **associated with the consumer.**
- 8 **(5) Take all lawful actions to remove a consumer's Social**
9 **Security number from all other files not associated with the**
10 **consumer.**
- 11 **(c) The attorney general may collaborate with the consumer**
12 **reporting agencies to develop an online portal enabling a consumer**
13 **to submit a single Social Security number search request for**
14 **simultaneous transmission to each consumer reporting agency.**
- 15 **Sec. 11. A consumer reporting agency may not charge a**
16 **consumer for making a Social Security number search request or**
17 **submitting a dispute under this chapter.**

