

HOUSE BILL 2616

By Mitchell

AN ACT to amend Tennessee Code Annotated, Title 47,  
Chapter 18, Part 21, relative to fees associated  
with security freezes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 47-18-2108, is amended by deleting subsection (l) and substituting the following:

(l) A consumer reporting agency shall not charge a Tennessee consumer a fee for the placement of a security freeze or to temporarily lift a security freeze. A consumer reporting agency may charge a consumer a reasonable fee, not to exceed five dollars (\$5.00), to permanently remove a security freeze, or to replace a personal identification number or password. A consumer reporting agency may not charge a Tennessee consumer to permanently remove a security freeze if that Tennessee consumer is a victim of identity theft as defined in § 47-18-2102 or other Tennessee law or federal law regarding identity theft and presents to the consumer reporting agency, at the time the request is made, a police report or other official document acceptable to the consumer reporting agency detailing the theft. Beginning on January 1, 2010, and on January 1 of each subsequent year, a consumer reporting agency may increase the fee set forth in this section based proportionally on changes to the consumer price index of all urban consumers, as determined by the United States department of labor, with fractional changes rounded to the nearest twenty-five cents (25¢).

SECTION 2. Tennessee Code Annotated, Section 47-18-2109, is amended by deleting the following language:

Unless you are a victim of identity theft with a police report, or other official document acceptable to a consumer reporting agency to verify the crimes, a consumer reporting agency has the right to charge you up to seven dollars and fifty cents (\$7.50) to place a freeze on your credit report, but may not charge you to temporarily lift a freeze on your credit report. A consumer reporting agency may charge a consumer a reasonable fee not to exceed five dollars (\$5.00) to permanently remove a security freeze, or to replace a personal identification number or password. A consumer reporting agency may increase these fees annually based on changes to a common measure of consumer prices. A consumer reporting agency may not charge a Tennessee consumer to place or permanently remove a security freeze if that Tennessee consumer is a victim of identity theft as defined in Tennessee law or federal law regarding identity theft and presents to the consumer reporting agency, at the time the request is made, a police report or other official document acceptable to the consumer reporting agency detailing the theft.

and substituting instead the following:

A consumer reporting agency does not have the right to charge you a fee to place a security freeze on your credit report or to temporarily lift a security freeze on your credit report. Unless you are a victim of identity theft with a police report, or other official document acceptable to a consumer reporting agency to verify the crime, a consumer reporting agency has the right to charge you a reasonable fee not to exceed five dollars (\$5.00) to permanently remove a security freeze, or to replace a personal identification number or password. A consumer reporting agency may increase this fee annually based on changes to a common measure of consumer prices. A consumer reporting agency may not charge a Tennessee consumer to permanently remove a security freeze if that Tennessee consumer is a victim of identity theft as defined in Tennessee law or federal law regarding identity theft and presents to the consumer reporting agency, at

the time the request is made, a police report or other official document acceptable to the consumer reporting agency detailing the theft.

SECTION 3. Tennessee Code Annotated, Section 47-18-2111(c)(2)(D), is amended by deleting the subdivision.

SECTION 4. Tennessee Code Annotated, Section 47-18-2111(j)(2), is amended by deleting the words "placement or".

SECTION 5. Tennessee Code Annotated, Section 47-18-2111(j)(3)(B), is amended by deleting the words "placement or".

SECTION 6. This act shall take effect July 1, 2018, the public welfare requiring it.