

ACT 189

H.B. NO. 1612

A Bill for an Act Relating to Consumer Credit Reporting Agencies.

Be It Enacted by the Legislature of the State of Hawaii:

SECTION 1. Section 489P-3, Hawaii Revised Statutes, is amended by amending subsection (a) to read as follows:

“(a) [A] Any consumer who ~~[has been the victim of identity theft]~~ is a resident of this state may place a security freeze on the consumer’s credit report ~~[by making a request in writing by certified mail to a consumer credit reporting agency, at an address designated by the agency to receive such requests, with a valid copy of a police report, investigative report, or complaint the consumer has filed with a law enforcement agency about unlawful use of the consumer’s personal information by another person]~~. A consumer credit reporting agency shall not charge a victim of identity theft a fee for placing, lifting, or removing a security freeze on a credit report~~[-]~~ but may charge any other consumer a fee not to exceed \$5 for each request by the consumer to place, lift, or remove a security freeze from the consumer’s credit report.

A consumer who is a resident of this state and has been the victim of identity theft may place a security freeze on the consumer’s credit report by making a request in writing by certified mail to a consumer credit reporting agency, at an address designated by the agency to receive such requests, with a valid copy of a police report, investigative report, or complaint the consumer has filed with a law enforcement agency about unlawful use of the consumer’s personal information by another person. A consumer who has not been the victim of identity theft may place a security freeze on the consumer’s credit report by making a request in writing by certified mail to a consumer credit reporting agency.

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A security freeze shall prohibit the consumer credit reporting agency from releasing the consumer's credit report or any information from it without the express authorization of the consumer. This subsection shall not prevent a consumer credit reporting agency from advising a third party that a security freeze is in effect with respect to the consumer's credit report."

SECTION 2. Statutory material to be repealed is bracketed and stricken. New statutory material is underscored.

SECTION 3. This Act shall take effect on July 1, 2007.

(Approved June 15, 2007.)