

Amendment No. 245

Senate Amendment to Senate Bill No. 80

(BDR 52-284)

Proposed by: Committee on Commerce and Labor**Amendment Box:****Resolves Conflicts with:** N/A**Amends:** Summary: Yes Title: Yes Preamble: No Joint Sponsorship: No Digest: Yes

ASSEMBLY ACTION	Initial and Date	SENATE ACTION	Initial and Date
Adopted <input type="checkbox"/> Lost <input type="checkbox"/>	_____	Adopted <input type="checkbox"/> Lost <input type="checkbox"/>	_____
Concurred In <input type="checkbox"/> Not <input type="checkbox"/>	_____	Concurred In <input type="checkbox"/> Not <input type="checkbox"/>	_____
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Amend section 1, page 2, line 2, by deleting “18,” and inserting “12,”.

Amend the bill as a whole by deleting sec. 2 and renumbering sec. 3 as sec. 2.

Amend sec. 3, page 2, line 12, by deleting lines 12 through 17 and inserting:

“Sec. 2. “Security freeze” means a notice that is placed in the file of a consumer at the request of the consumer pursuant to section 3 of this act.”.

Amend the bill as a whole by deleting sections 4 through 8 and renumbering sections 9 through 19 as sections 3 through 13.

Amend sec. 9, page 5, line 1, by deleting “14” and inserting “8”.

Amend sec. 9, page 5, line 2, by deleting “15” and inserting “9”.

Amend sec. 9, page 5, line 5, by deleting “14” and inserting “8”.

Amend sec. 9, page 5, line 7, by deleting “15” and inserting “9”.

SH/KP

Date: 4/13/2005

S.B. No. 80—Establishes requirements and procedures for consumers to place security alerts and security freezes in certain files maintained by credit reporting agencies.

Amend sec. 9, page 5, line 8, by deleting “10” and inserting “4”.

Amend sec. 9, page 5, line 14, by deleting “5” and inserting “10”.

Amend sec. 9, page 5, line 20, by deleting:

“14, 15 and 16” and inserting:

“8, 9 and 10”.

Amend sec. 10, page 6, line 20, after “to” by inserting:

“*certain persons, including*”.

Amend sec. 11, page 6, by deleting lines 26 through 34 and inserting:

“(a) *A reporting agency may charge a consumer a reasonable fee, not to exceed \$15, to place a security freeze in his file.*

(b) *After a security freeze has been placed in the file of a consumer, a reporting agency may charge the consumer a reasonable fee:*

(1) *Not to exceed \$18, to remove a security freeze from his file pursuant to section 9 of this act.*

(2) *Not to exceed \$18, to temporarily release his consumer report for a specific period pursuant to section 8 of this act.*

(3) *Not to exceed \$20, to temporarily release his consumer report to a specific person pursuant to section 8 of this act.*

2. *A reporting agency may not charge a consumer the fee set forth in paragraph (a) of subsection 1 to place a security freeze in his file if the consumer is a victim of identity theft and the consumer submits, at the time the security freeze is requested, a valid”.*

Amend sec. 11, page 7, by deleting lines 1 through 3.

Amend sec. 13, page 7, lines 24 and 25, by deleting:

“14, 15 and 16” and inserting:

“8 to 11, inclusive,”.

Amend sec. 13, page 7, by deleting lines 28 through 30 and inserting:

“2. If, in connection with an application for credit or any other use, a third party requests access to a consumer report on which a security freeze is in effect and the consumer does not allow his consumer report to be accessed for that specific third party or period of time, the third party may treat the application as incomplete.”.

Amend sec. 14, page 7, line 41, by deleting **“9”** and inserting **“3”**.

Amend sec. 15, page 8, line 22, by deleting **“9”** and inserting **“3”**.

Amend sec. 15, page 8, line 28, by deleting **“Provide”** and inserting **“Send”**.

Amend sec. 16, page 9, by deleting lines 2 through 5 and inserting:

“2. If a reporting agency intends to remove a security freeze from the file of a consumer pursuant to subsection 1, the reporting agency shall send written notice to the consumer before removing the security”.

Amend sec. 17, page 9, line 25, by deleting **“14”** and inserting **“8”**.

Amend sec. 17, page 9, line 28, after **“report”** by inserting:

“or the credit score of the consumer”.

Amend sec. 17, page 9, by deleting lines 31 through 37.

Amend sec. 17, page 9, line 38, by deleting **“9.”** and inserting **“8.”**.

Amend sec. 17, page 9, line 40, by deleting **“10.”** and inserting **“9.”**.

Amend sec. 17, page 9, after line 44, by inserting:

“10. A person holding a license issued by the Nevada Gaming Commission pursuant to title 41 of NRS, or the subsidiary, affiliate, agent, assignee or prospective assignee of that person, for purposes relating to any activities conducted pursuant to the license.

11. An employer, or the subsidiary, affiliate, agent, assignee or prospective assignee of that employer, for purposes of:

(a) Preemployment screenings relating to the consumer; or

(b) Decisions or investigations relating to the consumer’s current or former employment with the employer.”.

Amend sec. 18, page 10, line 2, by deleting:

“security alert or a”.

Amend sec. 18, page 10, between lines 13 and 14, by inserting:

“3. A reporting agency which acts only as a reseller of credit information by assembling and merging information contained in the database of another reporting agency or in the databases of multiple reporting agencies and which does not maintain a permanent database of consumer credit information from which new consumer reports are produced. Such a reporting agency shall honor any security freeze placed on a consumer report by another reporting agency.”.

Amend sec. 19, page 10, line 17, by deleting:

“sections 2 and 3” and inserting ***“section 2”***.

Amend the title of the bill to read as follows:

“AN ACT relating to personal identifying information; providing that a consumer may place a security freeze in certain files maintained by a credit reporting agency; providing for certain requirements and procedures relating to a security freeze; requiring a credit

reporting agency to make certain disclosures relating to a security freeze; providing civil remedies; and providing other matters properly relating thereto.”.

Amend the summary of the bill to read as follows:

“SUMMARY—Establishes requirements and procedures for consumers to place security freezes in certain files maintained by credit reporting agencies. (BDR 52-284)”.

**If this amendment is adopted, the Legislative
Counsel's Digest will be changed to read as follows:**

Legislative Counsel's Digest:

Existing law provides requirements for the operation of a credit reporting agency that assembles or evaluates information regarding the credit of or other information about consumers to furnish consumer reports to third parties. (Chapter 598C of NRS)

This bill allows a consumer to ask a credit reporting agency to place a security freeze on his consumer report. A security freeze prohibits the release of a consumer report to most other persons without the express authorization of the consumer.

This bill exempts certain companies that issue reports on fraud and certain resellers of credit information from the requirement to place a security freeze on a consumer report. This bill also allows a credit reporting agency to release a consumer report to governmental agencies and certain other persons for specific purposes even though a security freeze is in place.