

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2003**

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HOUSE BILL 1088

Short Title: Consumers' Right-to-Know Act. (Public)

Sponsors: Representatives Barnhart, Miller (Primary Sponsors); and Weiss.

Referred to: Ways and Means.

April 10, 2003

1 A BILL TO BE ENTITLED
2 AN ACT TO REQUIRE CREDIT REPORTING AGENCIES TO NOTIFY
3 CONSUMERS WHEN THE AGENCIES RECEIVE, WITHIN A
4 TWELVE-MONTH PERIOD PERTAINING TO A CONSUMER, THREE
5 CREDIT INQUIRIES OR A REPORT THAT WOULD ADD NEGATIVE
6 INFORMATION TO THE CONSUMER'S CREDIT FILE.

7 The General Assembly of North Carolina enacts:

8 **SECTION 1.** Article 1 of Chapter 75 of the General Statutes is amended by
9 adding a new section to read:

10 **"§ 75-36. Credit reporting agencies disclosure to consumers required.**

11 (a) Any person, firm, or corporation engaged in the business of reporting
12 consumer credit information shall notify a consumer, by letter sent by first-class mail,
13 that the consumer reporting agency will provide the consumer with a disclosure copy of
14 the consumer's credit file at no charge and a toll-free telephone number to call to request
15 the copy, when any one of the following events occurs within a 12-month period:

- 16 (1) The credit reporting agency has received three credit inquiries
17 pertaining to the consumer.
18 (2) The credit reporting agency has received a report that would add
19 negative information to the consumer's file.

20 (b) Any person, firm, or corporation engaged in the business of reporting
21 consumer credit information is required to send only one letter to a consumer per
22 12-month period pursuant to subsection (a) of this section even if more than one event
23 occurs relating to the consumer that initiated the letter in that period.

24 (c) Any letter mailed to a consumer pursuant to subsection (a) of this section
25 shall not contain any identifying information particular to that consumer, including
26 social security number, place of employment, date of birth, or mother's maiden name.

27 (d) Any letter mailed to a consumer pursuant to subsection (a) of this section may
28 be a form letter; except that each letter shall advise the consumer of the number and
29 type of events that occurred relating to the consumer that initiated the letter.

1 (e) Each person, firm, or corporation engaged in the business of reporting
2 consumer credit information shall, upon the request of a consumer, provide the
3 consumer with one disclosure copy of the consumer's file per year at no charge whether
4 or not the consumer has made the request in response to the notification required under
5 subsection (a) of this section. If the consumer requests more than one disclosure copy of
6 the consumer's file per year pursuant to this subsection, the consumer reporting agency
7 may charge the consumer up to eight dollars (\$8.00) for each additional disclosure
8 copy."

9 **SECTION 2.** This act becomes effective January 1, 2004.