

CHAPTER 129

PROFESSIONS AND OCCUPATIONS

HOUSE BILL 02-1153

BY REPRESENTATIVE(S) Vigil, Chavez, Marshall, Bacon, Borodkin, Boyd, Cadman, Clapp, Cloer, Coleman, Daniel, Garcia, Groff, Hodge, Jahn, Jameson, Mace, Miller, Mitchell, Plant, Ragsdale, Romanoff, Sanchez, Tapia, and Williams S.; also SENATOR(S) Tate, Hernandez, Isgar, Nichol, Phillips, Takis, and Tupa.

AN ACT

CONCERNING INFORMATION CONTAINED IN A CONSUMER'S CREDIT REPORT, AND, IN CONNECTION THEREWITH, REQUIRING CONSUMER REPORTING AGENCIES AND PERSONS WHO PROVIDE CREDIT INFORMATION TO USE THE CONSUMER'S SOCIAL SECURITY NUMBER TO VERIFY INFORMATION PRIOR TO INCLUDING THE INFORMATION IN THE CONSUMER'S CREDIT REPORT AND PROHIBITING A CONSUMER REPORTING AGENCY FROM FURNISHING TO ANY PERSON RECORDS OF REQUESTS FOR CREDIT OR INSURANCE THAT ARE NOT INITIATED BY THE CONSUMER.

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

SECTION 1. Article 14.3 of title 12, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SECTION to read:

12-14.3-103.5. Consumer reports - accuracy of information. WHENEVER A CONSUMER REPORTING AGENCY PREPARES A CONSUMER REPORT, THE AGENCY SHALL FOLLOW REASONABLE PROCEDURES TO ASSURE MAXIMUM POSSIBLE ACCURACY OF THE INFORMATION CONCERNING THE CONSUMER ABOUT WHOM THE REPORT RELATES, INCLUDING THE USE OF THE CONSUMER'S SOCIAL SECURITY NUMBER IF, IN ACCORDANCE WITH SECTION 12-14.3-103 (1) (c) (I), THE CONSUMER'S SOCIAL SECURITY NUMBER IS PROVIDED TO THE CONSUMER REPORTING AGENCY BY A PERSON INTENDING TO USE THE INFORMATION CONTAINED IN A CONSUMER REPORT IN CONNECTION WITH A CREDIT TRANSACTION INVOLVING THE CONSUMER AND THE SOCIAL SECURITY NUMBER WAS INITIALLY PROVIDED TO THE USER BY THE CONSUMER IN CONNECTION WITH SUCH TRANSACTION.

SECTION 2. 12-14.3-105.3, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SUBSECTION to read:

12-14.3-105.3. Reporting of information prohibited. (5) NOTWITHSTANDING

Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.

THE PROVISIONS OF SUBSECTION (4) OF THIS SECTION, A CONSUMER REPORTING AGENCY SHALL NOT FURNISH TO ANY PERSON, INCLUDING A DEVELOPER OF CREDIT SCORING, A RECORD OF INQUIRIES IN CONNECTION WITH A CREDIT OR INSURANCE TRANSACTION THAT IS NOT INITIATED BY THE CONSUMER. THE TERM "CREDIT OR INSURANCE TRANSACTION THAT IS NOT INITIATED BY THE CONSUMER" DOES NOT INCLUDE INQUIRIES RESULTING FROM THE COLLECTION OF AN ACCOUNT OR FOR PURPOSES OF REVIEWING AN ACCOUNT.

SECTION 3. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Approved: April 25, 2002