

**SB0052/573899/1**

BY: Economic Matters Committee

AMENDMENTS TO SENATE BILL 52  
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 7, strike the second “a”; strike beginning with “number” in line 7 down through “days” in line 8 and substitute “time periods”; in line 8, strike “a request is” and substitute “certain requests are”; in the same line, after “received” insert “in certain manners”; in line 14, strike “contained in, or”; in the same line, strike “from,” and substitute “from”; in line 20, strike the first “a”; and in the same line, strike “number of business days” and substitute “time periods”.

On page 2, in line 2, strike “requiring” and substitute “authorizing”; strike beginning with “prohibiting” in line 4 down through “agency” in line 9 and substitute “establishing certain maximum fees for certain services relating to a security freeze; prohibiting the charging of fees by a consumer reporting agency to a consumer who presents certain documentation to the consumer reporting agency”; in line 13, strike “shall be” and substitute “is”; and in line 15, after “terms;” insert “providing for a delayed effective date,”.

AMENDMENT NO. 2

On page 3, in line 24, after the second “A” insert “**CONSUMER’S**”; in line 27, strike “**CONTAINED IN, OR**”; and in line 28, strike the comma.

On page 4, in line 1, after “A” insert “**CONSUMER’S**”; strike beginning with the first comma in line 8 down through “**PERSON,**” in line 9; and in line 9, before “**CONSUMER**” insert “**CONSUMER’S**”.

On page 5, in line 5, strike “**FOR THE PURPOSE OF**”; in line 9, after “**PERSON**” insert “**ONLY**”; and in line 22, strike “**NEGATIVE**”.

(Over)

On page 6, in line 6, after “REPORT” insert “BY”; in line 7, strike “**BY WRITTEN**” and substitute “WRITTEN”; in line 8, after “(II)” insert “BEGINNING JANUARY 1, 2010, SUBJECT TO PARAGRAPH (6) OF THIS SUBSECTION, TELEPHONE, BY PROVIDING CERTAIN PERSONAL INFORMATION THAT THE CONSUMER REPORTING AGENCY MAY REQUIRE TO VERIFY THE IDENTITY OF THE CONSUMER;”; in line 9, strike “**BY ELECTRONIC**” and substitute “(III) ELECTRONIC”; in the same line, after “MAIL” insert “USING AN ELECTRONIC POSTMARK”; in line 11, strike “(III)” and substitute “(IV)”; strike beginning with “OVER” in line 11 down through “AGENCY” in line 12 and substitute “IF THE CONSUMER REPORTING AGENCY MAKES A SECURE CONNECTION AVAILABLE ON ITS WEBSITE, AN ELECTRONIC REQUEST THROUGH THAT SECURE CONNECTION”; in line 18, after “REPORT” insert “:

(I) BEFORE JULY 1, 2008,”;

and in line 19, strike “FROM A CONSUMER” and substitute “UNDER PARAGRAPH (1) OF THIS SUBSECTION; OR

(II) ON OR AFTER JULY 1, 2008, WITHIN 3 BUSINESS DAYS AFTER RECEIVING A REQUEST UNDER PARAGRAPH (1) OF THIS SUBSECTION”.

On page 7, after line 18, insert:

“(6) (I) IF A CONSUMER REQUESTS PLACEMENT OF A SECURITY FREEZE BY TELEPHONE UNDER PARAGRAPH (1)(II) OF THIS SUBSECTION, THE CONSUMER REPORTING AGENCY MAY REQUIRE THE CONSUMER TO CONFIRM THE REQUEST IN WRITING ON A FORM THAT THE CONSUMER REPORTING AGENCY PROVIDES TO THE CONSUMER WITH THE MATERIALS SENT IN ACCORDANCE WITH PARAGRAPH (4) OF THIS SUBSECTION.

**(II) IF THE CONSUMER FAILS TO RETURN WRITTEN CONFIRMATION THAT THE CONSUMER REPORTING AGENCY REQUIRES UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH, THE CONSUMER REPORTING AGENCY MAY REMOVE THE SECURITY FREEZE IN ACCORDANCE WITH SUBSECTION (G)(2) OF THIS SECTION.**;

in line 21, strike "CONTAINED IN, OR"; and in the same line, strike "FROM," and substitute "FROM".

On page 8, in line 13, after "BY" insert ":

**1.**;

in line 14, strike "MAIL"; in the same line, strike "OR" and substitute "MAIL IN THE MANNER PRESCRIBED BY THE CONSUMER REPORTING AGENCY";

**2.**;

in the same line, strike "TELEPHONE AS DESIGNATED" and substitute "TELEPHONE IN THE MANNER PRESCRIBED"; in line 15, strike ", BY ELECTRONIC" and substitute ":

**3. ELECTRONIC**;

in the same line, after the first "MAIL" insert "USING AN ELECTRONIC POSTMARK"; in line 16, after "AVAILABLE" insert "TO THE CONSUMER"; strike beginning with "," OR" in line 16 down through "AGENCY" in line 18 and substitute "; OR

**4. ELECTRONIC REQUEST IF A SECURE CONNECTION IS MADE AVAILABLE ON THE WEBSITE OF THE CONSUMER REPORTING AGENCY**;

(Over)

in line 25, strike “BY” and substitute “TO”; and in the same line, strike “REPORTING AGENCY”.

AMENDMENT NO. 3

On page 9, in line 1, strike “A” and substitute “EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS PARAGRAPH, A”; in line 2, strike the colon; in line 3, strike “1.”; in line 4, strike “; OR” and substitute a period; in line 5, strike “2.” and substitute “(II) 1.”; in the same line, after “2009,” insert “A CONSUMER REPORTING AGENCY SHALL COMPLY WITH A REQUEST MADE UNDER PARAGRAPH (1) OF THIS SUBSECTION”; and strike beginning with the colon in line 7 down through “; AND” in line 9 and substitute “MADE BY TELEPHONE, BY ELECTRONIC MAIL, OR BY SECURE CONNECTION ON THE WEBSITE OF THE CONSUMER REPORTING AGENCY.”.

On pages 9 and 10, strike in their entirety the lines beginning with line 10 on page 9 through line 8 on page 10, inclusive, and substitute:

“2. A CONSUMER REPORTING AGENCY THAT IS UNABLE TO TEMPORARILY LIFT A SECURITY FREEZE UNDER SUBSUBPARAGRAPH 1 OF THIS SUBPARAGRAPH SHALL LIFT THE SECURITY FREEZE AS SOON AS IT IS REASONABLY CAPABLE OF DOING SO.”.

On page 10, in line 9, strike “(F) ON OR BEFORE OCTOBER 1, 2009, A” and substitute “(3) A”; in line 10, strike “SHALL” and substitute “MAY”; strike in their entirety lines 14 and 15 and substitute “FACSIMILE OR OTHER ELECTRONIC MEDIA TO RECEIVE AND”; in line 17, strike “PLACE, TEMPORARILY LIFT,” and substitute “TEMPORARILY LIFT”; in lines 19, 24, and 28, strike “(G)”, “(H)”, and “(I)”, respectively, and substitute “(F)”, “(G)”, and “(H)”, respectively; in line 30, after “IF” insert “;”

**1.**”;

in line 31, strike “**PLACEMENT**” and substitute “**PLACEMENT**”; and in line 32, after “**CONSUMER**” insert “**; OR**”

**2. THE CONSUMER:**

**A. MADE THE REQUEST TO PLACE THE SECURITY FREEZE BY TELEPHONE UNDER SUBSECTION (C)(1)(II) OF THIS SECTION; AND**

**B. FAILED TO CONFIRM THE REQUEST IN WRITING IF REQUIRED IN ACCORDANCE WITH SUBSECTION (C)(6) OF THIS SECTION”.**

On page 11, in line 6, strike “**(I)**” and substitute “**(H)**”; in the same line, strike “**(H)(2)**” and substitute “**(G)(2)**”; in line 13, strike “**MAIL**” and substitute “**:**”

**1. MAIL IN THE MANNER PRESCRIBED BY THE CONSUMER REPORTING AGENCY;”;**

strike line 14 in its entirety and substitute:

**“2. TELEPHONE IN THE MANNER PRESCRIBED BY THE CONSUMER REPORTING AGENCY;”;**

in line 15, strike “**ELECTRONIC MAIL**” and substitute:

**“3. ELECTRONIC MAIL USING AN ELECTRONIC POSTMARK”;**

in line 16, after "AVAILABLE" insert "TO THE CONSUMER"; and strike beginning with ", OR" in line 16 down through "BY" in line 17 and substitute "; OR

**4. ELECTRONIC REQUEST IF A SECURE CONNECTION IS MADE AVAILABLE ON THE WEBSITE OF**

**AMENDMENT NO. 4**

On page 12, in line 1, strike "(J)" and substitute "(I)"; in lines 10 and 11, strike ": (I) \$10" and substitute "\$5,"; strike beginning with "; AND" in line 12 down through "SECTION" in line 14; in line 16, strike "A FEE" and substitute "ANY FEE UNDER THIS SECTION"; strike beginning with the comma in line 16 down through "ARTICLE" in line 20 and substitute ":

**(I) HAS OBTAINED A REPORT OF ALLEGED IDENTITY FRAUD AGAINST THE CONSUMER UNDER § 8-304 OF THE CRIMINAL LAW ARTICLE OR AN IDENTITY THEFT PASSPORT UNDER § 8-305 OF THE CRIMINAL LAW ARTICLE; AND**

**(II) PROVIDES A COPY OF THE REPORT OR PASSPORT TO THE CONSUMER REPORTING AGENCY**;

in line 21, strike "(K)" and substitute "(J)"; in lines 28, 30, and 31, in each instance, strike "CONSUMER" and substitute "CREDIT"; and in line 31, strike "CONTAINED IN, OR DERIVED FROM," and substitute "DERIVED FROM".

On page 13, in lines 4, 9, 11, 15, 19, 26, 27, 28, and 30, in each instance, strike "CONSUMER" and substitute "CREDIT"; in line 5, strike the comma and substitute "OR"; in the same line, after the second "MAIL" insert "OR THE INTERNET"; in line 6, strike "HAS" and substitute "PROVIDES"; strike beginning with "MAIL" in line 6 down through "WEBSITE" in line 8 and substitute "CONNECTION"; in line 10, after

“RECEIVED” insert “, OR WITHIN 3 BUSINESS DAYS STARTING JULY 1, 2008”; in line 21, strike “THE” and substitute “THE”; in line 23, after “(2)” insert “THE”; in line 25, strike the first “THE” and substitute “THE”; in line 30, strike “OR REMOVE”; and in line 31, after “RECEIVED” insert “, OR WITHIN 15 MINUTES STARTING JANUARY 31, 2009, FOR CERTAIN REQUESTS”.

On pages 13 and 14, strike beginning with “AFTER” in line 31 on page 13 down through “LAW” in line 2 on page 14 and substitute “A CONSUMER REPORTING AGENCY MUST COMPLY WITH A REQUEST TO REMOVE A SECURITY FREEZE ON A CREDIT REPORT WITHIN 3 BUSINESS DAYS AFTER THE REQUEST IS RECEIVED”.

On page 14, in line 11, strike “\$10” and substitute “\$5”; strike beginning with “A” in line 12 down through “RECEIVED.” in line 14; in line 15, strike the second “A” and substitute “ANY”; strike beginning with “ALLEGING” in line 18 down through “THEFT” in line 19 and substitute “OF ALLEGED IDENTITY FRAUD AGAINST THE CONSUMER OR AN IDENTITY THEFT PASSPORT”; in line 21, strike “CONSUMER” and substitute “CREDIT”; in line 28, strike “(L)” and substitute “(K)”; in line 29, strike “ERRONEOUSLY RELEASES A” and substitute “VIOLATES A SECURITY FREEZE BY RELEASING A CONSUMER’S”; in line 30, strike “CONTAINED IN, OR”; in line 31, strike “, A” and substitute “A CONSUMER’S”; in line 32, after “FREEZE” insert “WITHOUT AUTHORIZATION”; in line 33, strike “ERRONEOUS”; and in line 34, strike “AFFECTED”.

On page 15, in line 1, strike “NATURE OF THE” and substitute “SPECIFIC”; in line 2, after “THE” insert “NAME AND ADDRESS OF, OR OTHER AVAILABLE”; in the same line, after “FOR” insert a comma; in line 18, strike “(M)” and substitute “(L)”; in lines 18 and 19, strike “§ 14-1212.1(E)(2)(I)2 OF THIS SUBTITLE” and substitute “SUBSECTION (E)(2)(II) OF THIS SECTION”; and in line 22, strike “October 1, 2007” and substitute “January 1, 2008”.