

# SENATE BILL 37

I3, I2

(PRE-FILED)

6lr0493  
CF 6lr0580

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By: **Senator Simonaire**

Requested: July 22, 2015

Introduced and read first time: January 13, 2016

Assigned to: Finance

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## A BILL ENTITLED

1 AN ACT concerning

2 **Commercial Law – Security Freezes – Fees for Active Duty Military Service**  
3 **Members**

4 FOR the purpose of prohibiting a consumer reporting agency from charging certain military  
5 service members a fee for a placement, temporary lift, or removal of a security freeze;  
6 defining a certain term; and generally relating to consumer reporting agencies and  
7 security freezes on consumer reports.

8 BY repealing and reenacting, with amendments,  
9 Article – Commercial Law  
10 Section 14–1212.1(a) and (i)  
11 Annotated Code of Maryland  
12 (2013 Replacement Volume and 2015 Supplement)

13 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,  
14 That the Laws of Maryland read as follows:

15 **Article – Commercial Law**

16 14–1212.1.

17 (a) (1) In this section the following words have the meanings indicated.

18 (2) “Account review” includes activities related to account maintenance,  
19 account monitoring, credit line increases, and account upgrades and enhancements.

20 (3) **“MILITARY SERVICE MEMBER” MEANS A RESIDENT OF THE STATE**

21 **WHO:**

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1                   **(I) IS A MEMBER OF ANY COMPONENT OF THE UNITED STATES**  
2 **ARMED FORCES OR THE NATIONAL GUARD OF ANY STATE, THE DISTRICT OF**  
3 **COLUMBIA, A COMMONWEALTH, OR A TERRITORY OF THE UNITED STATES; AND**

4                   **(II) HAS ENTERED ANY FULL-TIME TRAINING OR DUTY FOR**  
5 **WHICH THE SERVICE MEMBER WAS ORDERED TO REPORT BY THE PRESIDENT, THE**  
6 **GOVERNOR OF A STATE, COMMONWEALTH, OR TERRITORY OF THE UNITED STATES,**  
7 **OR ANOTHER MILITARY AUTHORITY.**

8                   **(4)** “Security freeze” means a restriction placed on a consumer’s consumer  
9 report at the request of the consumer that prohibits a consumer reporting agency from  
10 releasing the consumer’s consumer report or any information derived from the consumer’s  
11 consumer report without the express authorization of the consumer.

12                   (i) (1) Except as provided in paragraph (2) of this subsection, a consumer may  
13 not be charged for any service relating to a security freeze.

14                   (2) A consumer reporting agency may charge a reasonable fee, not  
15 exceeding \$5, for each placement, temporary lift, or removal of a security freeze.

16                   (3) Notwithstanding paragraph (2) of this subsection, a consumer reporting  
17 agency may not charge any fee under this section to a consumer who:

18                   (i) 1. Has obtained a report of alleged identity fraud against the  
19 consumer under § 8–304 of the Criminal Law Article or an identity theft passport under §  
20 8–305 of the Criminal Law Article; and

21                   [(ii)] 2. Provides a copy of the report or passport to the consumer  
22 reporting agency; OR

23                   **(II) IS AN ACTIVE DUTY MILITARY SERVICE MEMBER WHO**  
24 **PROVIDES TO THE CONSUMER REPORTING AGENCY A COPY OF ORDERS:**

25                   1. **CALLING THE MILITARY SERVICE MEMBER TO**  
26 **MILITARY SERVICE; OR**

27                   2. **EXTENDING THE PERIOD OF MILITARY SERVICE FOR**  
28 **THE ACTIVE DUTY MILITARY SERVICE MEMBER.**

29                   SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
30 October 1, 2016.