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Legislative District 22
Prince George's County

Chair
Rules and Executive
Nominations Committee

Environment and Transportation
Committee

Chair
Local Government and
Bi-County Agencies Subcommittee



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Testimony in Support of HB 994 – Consumer Reporting Agencies - Removal of Criminal Proceedings - Prohibition March 8, 2023

Chair Wilson and Members of the Committee,

For the record, I am Delegate Anne Healey, seeking a favorable report on HB 994.

This bill simply requires that a consumer reporting agency not include information from a criminal proceeding where persons are falsely accused, acquitted, or exonerated, as well as dispositions that are dropped, nolle pros, not guilty or expunged.

A consumer report, including a credit report, is any communication by a consumer reporting agency that has bearing on a person's credit worthiness, as well as their character and general reputation. This serves as a factor to establish a person's eligibility for credit, employment, or other business needs.

The Fair Credit Reporting Act, Title VI, requires that consumer reporting agencies adopt reasonable procedures for meeting the needs of commerce. These must be fair and equitable to the consumer.

The problem is that records of arrest and indictment, whether the final disposition is a conviction or not, remain on a report for seven years. This is neither fair nor equitable. HB 994 precludes these obsolete or inaccurate charges going forward.

Justice delayed is justice denied and this bill would eliminate the unintended consequences of allowing misleading or obsolete criminal proceedings to remain on a person's consumer report. Innocent people are being harmed. Their reputation and livelihood are being damaged.

This bill does not preempt federal law but goes above and beyond to protect consumers.

So, I ask for a favorable report of HB 994.