

MAINE STATE LEGISLATURE

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L.D. 2192
(Filing No. S-554)

STATE OF MAINE
SENATE
108TH LEGISLATURE
SECOND REGULAR SESSION

SENATE AMENDMENT "A" to H.P. 2234, L.D. 2192, Bill, "AN ACT to Clarify and Define Certain Existing Provisions of the Maine Fair Credit Reporting Act."

Amend the bill in section 4, in that part designated "§1314." in subsection 1, paragraph A, by striking out everything after the underlined words "or preparation" and before the underlined punctuation and word "; or"

Further amend the bill by inserting after section 13 the following new section:

'Sec. 14. 10 MRSA §1323-A is enacted to read:

§1323-A. Qualified immunity

Except as provided in sections 1322 and 1323, no consumer may bring any action or proceeding in the nature of defamation, invasion of privacy or negligence with respect to the reporting of information against any consumer reporting agency, any user of information or any person who furnishes information to a consumer reporting agency, based upon information disclosed pursuant to sections 1315, 1316, 1317 and 1320 except as to false information, furnished with malice or willful intent to injure that consumer.'

Further amend the bill by renumbering section 14 to be section 15.

Statement of Fact

The purposes of this amendment are to include a qualified immunity clause and to delete the requirement that prior written authorization must be obtained for the procurement or preparation of each investigative consumer report. These charges will conform the Maine Fair Credit Reporting Act with the provisions of the Federal Fair Credit Reporting Act.

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Reproduced and distributed pursuant to Senate Rule 11-A.

March 15, 1978

(Filing No. S-554)

OF R.