

MAINE STATE LEGISLATURE

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114th MAINE LEGISLATURE

SECOND REGULAR SESSION - 1990

Legislative Document

No. 1992

S.P. 767

In Senate, December 18, 1989

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26.

Received by the Secretary of the Senate on December 18, 1989. Referred to the Committee on Business Legislation and 1,600 ordered printed pursuant to Joint Rule 14.

A handwritten signature in cursive script that reads "Joy J. O'Brien".

JOY J. O'BRIEN
Secretary of the Senate

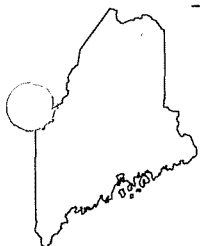
Presented by Senator BUSTIN of Kennebec.

Cosponsored by Senator WEYMOUTH of Kennebec, Representative DELLERT of Gardiner and Representative FARNSWORTH of Hallowell.

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND NINETY

An Act to Improve Credit Reporting.



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Be it enacted by the People of the State of Maine as follows:

Sec. 1. 10 MRSA §1321, sub-§1, as repealed and replaced by PL 1981, c. 610, §12, is amended to read:

1. **Procedures to avoid violations.** Every consumer reporting agency shall maintain reasonable procedures designed to limit the furnishing of consumer reports to the purposes listed under section 1313. To ensure accuracy of information, before a consumer reporting agency may add, access or disclose information regarding a consumer, the agency shall identify the consumer by full name, social security number and date of birth. These procedures shall require that prospective users of the information identify themselves, certify the purposes for which the information is sought, and certify that the information will be used for no other purpose. Every consumer reporting agency shall make a reasonable effort to verify the identity of a new prospective user and the uses certified by such prospective user prior to furnishing such user a consumer report. No consumer reporting agency may furnish a consumer report to any person if it has reasonable grounds for believing that the consumer report will not be used for a purpose listed in section 1313.

Sec. 2. 10 MRSA §1321, sub-§1-A is enacted to read:

1-A. Agency procedures for adding consumer information. Before adding information to a consumer's credit report that may be detrimental to the consumer, the consumer reporting agency shall send to the consumer by regular first-class mail a copy of the information to be added. If the consumer disputes the information and notifies the agency of that dispute within 30 days of the date postmarked on the letter containing the information from the agency to the consumer, the agency shall reinvestigate the information as provided in section 1317. If the consumer does not notify the agency of a dispute within the 30-day period, the agency may add the information to the consumer's file.

STATEMENT OF FACT

This bill amends the law on credit reporting to require that a social security number and date of birth must be used to enter, access and distribute any information on an individual, and, that prior to adding any information to an individual's credit report, a copy of the information must be forwarded to the individual allowing 30 days for the person to respond.