

IN THE SENATE

SENATE BILL NO. 1265

BY COMMERCE AND HUMAN RESOURCES COMMITTEE

AN ACT

RELATING TO FEES FOR A SECURITY FREEZE; AMENDING SECTION 28-52-106, IDAHO CODE, TO PROHIBIT THE CHARGING OF A FEE BY A CONSUMER CREDIT REPORTING AGENCY FOR A PLACEMENT OF A SECURITY FREEZE DURING A TWELVE MONTH PERIOD AND FOR A TEMPORARY LIFT OF A SECURITY FREEZE DURING A TWELVE MONTH PERIOD AND TO PROVIDE A FEE FOR A SECOND OR SUBSEQUENT PLACEMENT OR LIFT OF A SECURITY FREEZE.

Be It Enacted by the Legislature of the State of Idaho:

SECTION 1. That Section 28-52-106, Idaho Code, be, and the same is hereby amended to read as follows:

28-52-106. FEES FOR SECURITY FREEZE. (1) Except as provided in subsection (2) of this section, a consumer reporting agency may not charge an administrative fee, ~~not to exceed six dollars (\$6.00),~~ to a consumer for ~~each~~ the first placement of a security freeze during a twelve (12) month period, and ~~six dollars (\$6.00) for each~~ six dollars (\$6.00) for the first temporary lift of a security freeze. ~~A consumer reporting agency may not charge an administrative fee for a removal of a security freeze during a twelve (12) month period.~~ A consumer reporting agency may charge an administrative fee, not to exceed six dollars (\$6.00), to a consumer for the second or subsequent placement of a security freeze during a twelve (12) month period, and six dollars (\$6.00) for the second or subsequent temporary lift of a security freeze during a twelve (12) month period.

(2) A consumer reporting agency may not charge a fee under section 28-52-103(1)(c), Idaho Code, to a consumer who has been the victim of identity theft and who has submitted to the consumer reporting agency a valid police report, an investigative report or complaint that the consumer has filed with a law enforcement agency.

(3) A consumer may be charged a reasonable fee, not to exceed ten dollars (\$10.00), if the consumer fails to retain the original personal identification number, password or other device provided by the consumer reporting agency and if the consumer asks the consumer reporting agency to reissue the same or a new personal identification number, password or other device.