

Topic: Commercial credit reporting

_____ moved to amend as follows:

1 In line 3 of the title, delete "1349.73" and insert
2 "1319.17"

3 In line 9, delete "1349.73" and insert "1319.17"

4 After line 9, insert:

5 "Sec. 1319.17. (A) As used in this section:

6 (1) "Business" means a sole proprietorship, partnership,
7 corporation, limited liability company, or other commercial
8 entity, whether for profit or not for profit.

9 (2) "Commercial credit report" means any report provided to
10 a business for a legitimate business purpose, relating to the
11 financial status or payment habits of a business that is the
12 subject of the report. "Commercial credit report" does not
13 include any of the following:

14 (a) A report prepared for commercial insurance
15 underwriting, claims, or auditing purposes;

16 (b) A report containing information related to transactions
17 or experiences between the subject and the person making the
18 report;

19 (c) An authorization or approval of a specific extension of
20 credit directly or indirectly by the issuer of a credit card or
21 similar device;

22 (d) Any report in which a person that has been requested by
23 a third party to make a specific extension of credit directly or
24 indirectly to the subject conveys its decision with respect to
25 that request.

26 (3) "Commercial credit reporting agency" means any person
27 or entity that regularly engages in the practice of compiling
28 and maintaining commercial credit reports on a business
29 operating in this state for the purpose of providing commercial
30 credit reports and, for monetary fees, dues, or on a cooperative
31 nonprofit basis, provides such commercial credit reports on a
32 business operating in this state to third parties.

33 "Commercial credit reporting agency" does not include a
34 person or entity that does not maintain a database of commercial
35 credit reports from which new commercial credit reports are
36 produced.

37 (4) "Subject" means the business operating in this state
38 about which a commercial credit report has been compiled.

39 (B) Upon the request of a representative of the subject of
40 a commercial credit report, a commercial credit reporting agency
41 shall provide the subject's commercial credit report. The report
42 shall be provided to the subject at a cost not greater than what
43 is charged to third parties and may be printed or in electronic
44 form. The report shall be in a format routinely made available
45 to third parties. A commercial credit reporting agency may
46 protect the identity of sources of information to be used in
47 commercial credit reports.

48 (C) Within thirty days after receipt of a commercial credit
49 report, a representative of the subject of the report may file
50 with the commercial credit reporting agency a written summary
51 statement identifying each particular statement in the report
52 that the subject of the report believes contains an inaccurate
53 statement of fact and indicating the nature of the disagreement
54 with the statement. Within thirty days after receipt of a
55 subject's summary statement of disagreement, the commercial
56 credit reporting agency at no cost to the subject shall do
57 either of the following:

58 (1) Delete the disputed statement of fact from the report
59 and, thereafter, block any repeat reporting of that disputed
60 statement unless its accuracy has been verified;

61 (2) Include in the report a notice of the subject's
62 assertion that the statement of fact is inaccurate.

63 (D) Nothing in this section shall be construed to provide a
64 private right of action, including a class action, with respect
65 to any act or practice regulated under this section."

66 Delete lines 562 through 679

67 The motion was _____ agreed to.