

As Introduced

**131st General Assembly
Regular Session
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H. B. No. 317

Representative Maag

A BILL

To amend section 1349.52 and to enact section 1
1349.521 of the Revised Code to enable the 2
parents or guardian of a protected consumer to 3
freeze that consumer's credit to protect the 4
consumer from identity theft. 5

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:

Section 1. That section 1349.52 be amended and section 6
1349.521 of the Revised Code be enacted to read as follows: 7

Sec. 1349.52. (A) As used in this section and in section 8
1349.521 of the Revised Code: 9

(1) "Adult protected consumer" means a protected consumer 10
who is not a minor protected consumer. 11

(2) "Consumer credit reporting agency" means any person 12
that, for monetary fees, dues, or on a cooperative nonprofit 13
basis, regularly engages in whole or in part in the practice of 14
maintaining consumers' credit information for the purpose of 15
furnishing credit reports to third parties. 16

~~(2)~~ (3) "Credit report" means any written, oral, or other 17
communication of any credit information by a consumer credit 18

reporting agency that operates or maintains a database of
consumer credit information bearing on a consumer's credit
worthiness, credit standing, or credit capacity. "Credit report"
includes a credit record created for the purposes of complying
with section 1349.521 of the Revised Code.

~~(3)~~ (4) "Credit record" means a compilation of information
that meets both of the following:

(a) Identifies a protected consumer;

(b) Is created by a consumer reporting agency for the sole
purpose of complying with section 1349.521 of the Revised Code.

(5) "Minor protected consumer" means an individual who is
under sixteen years of age.

(6) "Protected consumer" means an individual, at the time
a request for the placement of a security freeze is made, who
meets either of the following:

(a) Is a minor protected consumer;

(b) Is a person for whom a guardian of the estate or
conservator has been appointed.

(7) "Representative" means any person who provides
sufficient proof of authority to a consumer credit reporting
agency to act on the behalf of a protected consumer.

"Representative" includes a parent, guardian, or conservator.

(8) "Security freeze" means a restriction placed in a
consumer's or protected consumer's credit report at the request
of the consumer or the protected consumer's representative that
prohibits a consumer credit reporting agency from releasing all
or any part of the consumer's or protected consumer's credit
report or any information derived from the consumer's or

protected consumer's credit report relating to the extension of 47
credit without the express authorization of the consumeror 48
protected consumer's representative. 49

~~(4)~~(9) "Sufficient proof of authority" means 50
documentation that shows a representative has authority to act 51
on behalf of a protected consumer. "Sufficient proof of 52
authority" includes any of the following: 53

(a) An order issued by a court of competent jurisdiction; 54

(b) A lawfully executed and valid power of attorney; 55

(c) A birth certificate, naming the representative as a 56
parent of the protected consumer, in the case of a minor 57
protected consumer; 58

(d) A written, notarized statement signed by the 59
representative that expressly describes the authority of the 60
representative to act on behalf of the protected consumer. 61

(10) "Sufficient proof of identity" means information or 62
documentation that identifies a protected consumer or a 63
representative of a protected consumer. "Sufficient proof of 64
identity" includes any of the following: 65

(a) A social security number or a copy of a social 66
security card issued by the social security administration; 67

(b) A certified or official copy of a birth certificate 68
issued by an entity authorized to issue the birth certificate; 69

(c) A copy of a driver's license, a state identification 70
card, or any other government-issued identification; 71

(d) A copy of a bill, including a bill for telephone, 72
sewer, septic tank, water, electric, oil, or natural gas 73

services, that shows a name and home address. 74

(11) "Other comparable service" means a service for which 75
a receipt of delivery is provided. 76

(B)–A–(1) Except as provided in division (B) (2) of this 77
section, a consumer may elect to place a security freeze on the 78
consumer's credit report by making a request to a consumer 79
credit reporting agency in writing by certified mail or other 80
comparable service or by any secured electronic method 81
authorized by the consumer credit reporting agency. 82

(2) Security freezes for protected consumers shall be 83
governed by section 1349.521 of the Revised Code. 84

(C) A consumer credit reporting agency shall place a 85
security freeze on a credit report not later than three business 86
days after receiving a request pursuant to division (B) of this 87
section. The consumer credit reporting agency shall send a 88
written confirmation of the security freeze to the consumer 89
within five business days of placing the security freeze and, at 90
the same time, shall provide the consumer with a unique personal 91
identification number or password. The number or password shall 92
not be the consumer's social security number. 93

(D) A consumer may allow the consumer's credit report to 94
be accessed for a specific party or period of time while a 95
security freeze is in place by contacting the consumer credit 96
reporting agency by certified mail or other comparable service, 97
secure electronic method selected by the consumer credit 98
reporting agency, or telephone and requesting that the security 99
freeze be temporarily lifted, and providing all of the 100
following: 101

(1) Information generally considered sufficient to 102

identify the consumer; 103

(2) The unique personal identification number or password 104
provided by the consumer credit reporting agency pursuant to 105
division (C) of this section; 106

(3) The proper information regarding the third party who 107
is to receive the consumer credit report or the time period for 108
which the consumer credit report shall be available to users of 109
the credit report. 110

(E) (1) A consumer credit reporting agency that receives a 111
request in writing by certified mail or other comparable service 112
from a consumer to temporarily lift a security freeze on a 113
credit report pursuant to division (D) of this section shall 114
comply with the request not later than three business days after 115
receiving the request. 116

(2) Except as otherwise provided in this section, a 117
consumer credit reporting agency that receives a request by 118
secure electronic method selected by the consumer credit 119
reporting agency, telephone, or another means authorized by the 120
consumer credit reporting agency from a consumer to temporarily 121
lift a security freeze on a credit report pursuant to division 122
(D) of this section shall comply with the request not later than 123
fifteen minutes after receiving the request unless any of the 124
following applies: 125

(a) The consumer fails to meet the requirements of 126
division (D) of this section. 127

(b) The consumer credit reporting agency's ability to 128
temporarily lift the security freeze within fifteen minutes is 129
prevented by an act of God, including fire, earthquakes, 130
hurricanes, storms, or similar natural disaster or phenomena; 131

unauthorized or illegal acts by a third party, including 132
terrorism, sabotage, riot, vandalism, labor strikes or disputes 133
disrupting operations, or similar occurrence; operational 134
interruption, including electrical failure, unanticipated delay 135
in equipment or replacement part delivery, computer hardware or 136
software failures inhibiting response time, or similar 137
disruption; governmental action, including emergency orders or 138
regulations, judicial or law enforcement action, or similar 139
directives; regularly scheduled maintenance, during other than 140
normal business hours of, or updates to, the consumer credit 141
reporting agency's systems; or commercially reasonable 142
maintenance of, or repair to, the consumer credit reporting 143
agency's systems that is unexpected or unscheduled. 144

(3) A consumer credit reporting agency shall remove or 145
temporarily lift a security freeze placed on a credit report 146
only in the following cases: 147

(a) Upon consumer request pursuant to division (D) of this 148
section; 149

(b) If the credit report was frozen due to a material 150
misrepresentation of fact by the consumer. If a consumer credit 151
reporting agency intends to remove a security freeze upon a 152
credit report pursuant to division (E) (3) (b) of this section, 153
the consumer credit reporting agency shall notify the consumer 154
in writing at least five business days prior to removing the 155
security freeze on the credit report. 156

(F) A consumer credit reporting agency, when required by 157
the "Fair Credit Reporting Act," 84 Stat. 1128 (1970), 15 U.S.C. 158
1681g(c), to provide a summary of rights, or when receiving a 159
request from a consumer for information about a security freeze, 160
shall provide the following written notice: 161

"Ohio Consumers Have the Right to Obtain a Security Freeze: 162
Freeze: 163

You may obtain a security freeze on your credit report to protect your privacy and ensure that credit is not granted in your name without your knowledge. You have a right to place a "security freeze" on your credit report pursuant to Ohio law. The security freeze will prohibit a consumer credit reporting agency from releasing any information in your credit report without your express authorization or approval. The security freeze is designed to prevent credit, loans, and services from being approved in your name without your consent. When you place a security freeze on your credit report, within five business days you will be provided a personal identification number or password to use if you choose to remove the security freeze on your credit report or to temporarily authorize the release of your credit report for a specific party or parties or for a specific period of time after the security freeze is in place. To provide that authorization, you must contact the consumer credit reporting agency and provide all of the following: 164
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(a) Information generally considered sufficient to identify the consumer; 181
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(b) The unique personal identification number or password provided by the consumer credit reporting agency; 183
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(c) The proper information regarding the third party who is to receive the consumer credit report or the time period for which the credit report shall be available to users of the credit report. 185
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A consumer credit reporting agency that receives a request from a consumer to temporarily lift a security freeze on a 189
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credit report shall comply with the request not later than 191
fifteen minutes after receiving the request. 192

A security freeze does not apply to circumstances in which 193
you have an existing account relationship and a copy of your 194
report is requested by your existing creditor or its agents or 195
affiliates for certain types of account review, collection, 196
fraud control, or similar activities. 197

If you are actively seeking credit, you should understand 198
that the procedures involved in lifting a security freeze may 199
slow your own applications for credit. You should plan ahead and 200
lift a freeze, either completely if you are shopping around, or 201
specifically for a certain creditor, a few days before actually 202
applying for new credit. 203

(G) Except as otherwise provided in division (E) of this 204
section, a consumer credit reporting agency shall keep a 205
security freeze in place until the consumer requests that the 206
security freeze be removed. A consumer credit reporting agency 207
shall remove a security freeze within three business days of 208
receiving a request by telephone or by any other means 209
authorized by the consumer credit reporting agency for removal 210
from the consumer when the consumer provides the following: 211

(1) Information generally considered sufficient to 212
identify the consumer; 213

(2) The unique personal identification number or password 214
provided by the consumer credit reporting agency pursuant to 215
division (C) of this section. 216

(H) A consumer credit reporting agency may release a 217
credit report on which a security freeze has been placed to the 218
following: 219

(1) A person, or subsidiary, affiliate, or agent of that 220
person, or an assignee of a financial obligation owing by the 221
consumer to that person, or a prospective assignee of a 222
financial obligation owing by the consumer to that person in 223
conjunction with the proposed purchase of the financial 224
obligation, with which the consumer has or had prior to 225
assignment an account or contract, including a demand deposit 226
account, or to whom the consumer issued a negotiable instrument, 227
for the purposes of reviewing the account or collecting the 228
financial obligation owing for the account, contract, or 229
negotiable instrument. For purposes of this paragraph, 230
"reviewing the account" includes activities related to account 231
maintenance, monitoring, credit line increases, and account 232
upgrades and enhancements. 233

(2) A subsidiary, affiliate, agent, assignee, or 234
prospective assignee of a person to whom access has been granted 235
under division (D) of this section, for purposes of facilitating 236
the extension of credit or other permissible use; 237

(3) Any state or local law enforcement agency, trial 238
court, or private collection agency acting pursuant to a court 239
order, warrant, or subpoena; 240

(4) Any federal, state, or local governmental entity, 241
agency, or instrumentality that is acting within the entity's, 242
agency's, or instrumentality's authority; 243

(5) A state or local child support enforcement agency; 244

(6) A person seeking to use the information contained in 245
the consumer's credit report for the purpose of prescreening 246
pursuant to the "Fair Credit Reporting Act," 84 Stat. 1128 247
(1970), 15 U.S.C. 1681 et seq.; 248

(7) Any person or entity administering a credit file monitoring subscription service to which the consumer has subscribed;	249 250 251
(8) Any person or entity providing a consumer with a copy of the consumer's credit report upon the consumer's request;	252 253
(9) Any person or entity for use in setting or adjusting a rate, adjusting a claim, or underwriting for insurance purposes;	254 255
(10) Any person or entity acting to investigate fraud or acting to investigate or collect delinquent taxes or unpaid court orders provided those responsibilities are consistent with section 1681b of the "Fair Credit Reporting Act," 15 U.S.C. 1681 et seq.	256 257 258 259 260
(I) (1) A consumer credit reporting agency may charge a consumer a reasonable fee not to exceed five dollars for placing a security freeze on that consumer's credit report. If the consumer is a victim of a violation of section 2913.49 of the Revised Code, the consumer credit reporting agency shall not charge a fee to place a security freeze on that consumer's credit report, but that consumer shall send a copy of the police report related to the violation of section 2913.49 of the Revised Code to the consumer credit reporting agency.	261 262 263 264 265 266 267 268 269
(2) A consumer credit reporting agency may charge a consumer a reasonable fee not to exceed five dollars for removing or temporarily lifting a security freeze on that consumer's credit report if the consumer elects to remove or temporarily lift the security freeze on the consumer's credit report for a specific creditor and may charge a consumer a reasonable fee not to exceed five dollars if the consumer elects to temporarily lift the security freeze for a specified period	270 271 272 273 274 275 276 277

of time. 278

(3) A consumer credit reporting agency may charge a 279
reasonable fee not to exceed five dollars to a consumer who 280
fails to retain the original personal identification number 281
provided by the consumer credit reporting agency and must be 282
reissued the same or a new personal identification number. 283

(J) If a security freeze is in place, a consumer credit 284
reporting agency shall not change any of the following official 285
information in a credit report without sending a written 286
confirmation of the change to the consumer within thirty days of 287
the change being posted to the consumer's file: name; date of 288
birth; social security number; or address. Written confirmation 289
is not required for technical modifications of a consumer's 290
official information, including name and street abbreviations, 291
complete spellings, or transposition of numbers or letters. In 292
the case of an address change, the written confirmation shall be 293
sent to both the new address and to the former address. 294

(K) The provisions of this section do not apply to a 295
consumer credit reporting agency that acts only as a reseller of 296
credit information by assembling and merging information 297
contained in the database of another consumer credit reporting 298
agency or multiple consumer credit reporting agencies and does 299
not maintain a permanent database of credit information from 300
which new credit reports are produced, except that the reseller 301
of credit information shall honor any security freeze placed on 302
a credit report by another consumer credit reporting agency. 303

(L) The following entities are not required to place a 304
security freeze in a credit report: 305

(1) A check services company or fraud prevention services 306

company that issues reports on incidents of fraud or 307
authorizations for the purpose of approving or processing 308
negotiable instruments, electronic funds transfers, or similar 309
methods of payments; 310

(2) A demand deposit account information service company 311
that issues reports, regarding account closures due to fraud, 312
substantial overdrafts, automated teller machine abuse, or 313
similar negative information regarding a consumer, to inquiring 314
banks or other financial institutions for use only in reviewing 315
a consumer request for a demand deposit account at the inquiring 316
bank or financial institution. 317

(M) (1) The attorney general may conduct an investigation 318
if the attorney general, based on complaints or the attorney 319
general's own inquiries, has reason to believe that a consumer 320
credit reporting agency has failed or is failing to comply with 321
this section. 322

(2) In any investigation conducted pursuant to this 323
section, the attorney general may administer oaths, subpoena 324
witnesses, adduce evidence, and subpoena the production of any 325
book, document, record, or other relevant matter. 326

(3) If the attorney general under division (M) (2) of this 327
section subpoenas the production of any relevant matter that is 328
located outside this state, the attorney general may designate a 329
representative, including an official of the state in which that 330
relevant matter is located, to inspect the relevant matter on 331
the attorney general's behalf. The attorney general may carry 332
out similar requests received from officials of other states. 333

(4) Any person who is subpoenaed to produce relevant 334
matter pursuant to division (M) (2) of this section shall make 335

that relevant matter available at a convenient location within 336
this state or the state of the representative designated under 337
division (M) (3) of this section. 338

(5) Any person who is subpoenaed as a witness or to 339
produce relevant matter pursuant to division (M) (2) of this 340
section may file in the court of common pleas of Franklin 341
county, the county in this state in which the person resides, or 342
the county in this state in which the person's principal place 343
of business is located a petition to extend for good cause shown 344
the date on which the subpoena is to be returned or to modify or 345
quash for good cause shown that subpoena. The person may file 346
the petition at any time prior to the date specified for the 347
return of the subpoena or within twenty days after the service 348
of the subpoena, whichever is earlier. 349

(6) Any person who is subpoenaed as a witness or to 350
produce relevant matter pursuant to division (M) (2) of this 351
section shall comply with the terms of the subpoena unless the 352
court orders otherwise prior to the date specified for the 353
return of the subpoena or, if applicable, that date as extended. 354
If a person fails without lawful excuse to obey a subpoena, the 355
attorney general may apply to the court of common pleas for an 356
order that does one or more of the following: 357

(a) Compels the requested discovery; 358

(b) Adjudges the person in contempt of court; 359

(c) Grants injunctive relief to restrain the person from 360
failing to comply with section 1347.12 or 1349.19 of the Revised 361
Code, whichever is applicable; 362

(d) Grants injunctive relief to preserve or restore the 363
status quo; 364

(e) Grants other relief that may be required until the 365
person obeys the subpoena. 366

(N)(1) The attorney general has the authority to bring a 367
civil action in a court of common pleas for appropriate relief 368
under this section, including a temporary restraining order, 369
preliminary or permanent injunction, and civil penalties, if it 370
appears that a consumer credit reporting agency has failed or is 371
failing to comply with this section. Upon its finding that a 372
consumer credit reporting agency has intentionally or recklessly 373
failed to comply with this section, the court shall impose a 374
civil penalty upon the consumer credit reporting agency of up to 375
two thousand five hundred dollars for each instance that the 376
consumer credit reporting agency fails to comply. 377

(2) Any civil penalty that is assessed under division (N) 378
(1) of this section shall be deposited into the consumer 379
protection enforcement fund created by section 1345.51 of the 380
Revised Code. 381

(3) In determining the appropriate civil penalty to assess 382
under division (N)(1) of this section, the court shall consider 383
all relevant factors, including the degree of the defendant's 384
culpability, any history of prior violations of this section by 385
the defendant, the defendant's ability to pay, the effect of the 386
court's decision on the defendant's ability to continue to 387
conduct the defendant's business, and whether or not the 388
defendant acted in bad faith in failing to comply with this 389
section. 390

(O) Any consumer credit reporting agency that is found by 391
the court to have failed to comply with this section is liable 392
to the attorney general for the attorney general's costs in 393
conducting an investigation and bringing an action under this 394

section. 395

(P) The rights and remedies that are provided under this 396
section are in addition to any other rights or remedies that are 397
provided by law. 398

Sec. 1349.521. (A) (1) A representative of a protected 399
consumer may elect to place a security freeze on the protected 400
consumer's credit report in the manner prescribed in division 401
(B) of this section by making a request to a consumer credit 402
reporting agency in writing by certified mail or other 403
comparable service or by any secured electronic method 404
authorized by the consumer credit reporting agency. 405

(2) A representative requesting a security freeze on a 406
protected consumer's credit report shall provide to the credit 407
reporting agency sufficient proof of authority and, for both the 408
representative and the protected consumer, sufficient proof of 409
identity. 410

(B) (1) A consumer credit reporting agency shall place a 411
security freeze on a credit report not later than three business 412
days after receiving a request pursuant to division (A) (1) of 413
this section and the information required pursuant to division 414
(A) (2) of this section. 415

(2) The consumer credit reporting agency shall send a 416
written confirmation of the security freeze to the protected 417
consumer's representative within five business days after 418
placing the security freeze. 419

(C) (1) If a consumer credit reporting agency does not have 420
a credit report pertaining to a protected consumer when the 421
consumer reporting agency receives a request under division (A) 422
(1) of this section related to that protected consumer, the 423

consumer credit reporting agency shall create a credit record 424
for the protected consumer and place a security freeze upon the 425
credit record in accordance with division (B) of this section. 426

(2) A credit record created under division (C) (1) of this 427
section shall not be used to consider the protected consumer's 428
credit worthiness, credit standing, credit capacity, character, 429
general reputation, or personal characteristics. 430

(D) A consumer credit reporting agency shall remove a 431
security freeze placed on a credit report only in the following 432
cases: 433

(1) If the credit report was frozen due to a material 434
misrepresentation of fact by the protected consumer's 435
representative. If a consumer credit reporting agency intends to 436
remove a security freeze upon a credit report due to a material 437
misrepresentation, the consumer credit reporting agency shall 438
notify the protected consumer's representative in writing at 439
least five business days prior to removing the security freeze 440
on the credit report. 441

(2) A protected consumer's representative requests that 442
the security freeze be removed. A protected consumer's 443
representative shall provide all of the following when 444
requesting that a security freeze be removed: 445

(a) Sufficient proof of identity for both the protected 446
consumer and the protected consumer's representative; 447

(b) Sufficient proof of authority to act on the behalf of 448
the protected consumer. 449

(3) Upon action of the consumer reporting agency, a 450
security freeze may be removed when a minor protected consumer 451
reaches sixteen years of age. 452

(4) A consumer reporting agency shall develop a procedure 453
by which a minor protected consumer, upon reaching sixteen years 454
of age, may remove the security freeze created on the minor's 455
behalf. The procedure shall, at a minimum, require the minor to 456
provide sufficient proof of identity and age. 457

(E) A consumer credit reporting agency shall remove a 458
security freeze within three business days after receiving a 459
request by certified mail or other comparable service, secure 460
electronic method selected by the consumer credit reporting 461
agency, telephone, or by any other means authorized by the 462
consumer credit reporting agency for removal from a protected 463
consumer's representative and of receiving the information 464
specified in division (D)(2) of this section. 465

(F) A consumer credit reporting agency, when required by 466
the "Fair Credit Reporting Act," 84 Stat. 1128 (1970), 15 U.S.C. 467
1681g(c), to provide a summary of rights, or when receiving a 468
request from a protected consumer's representative seeking a 469
credit freeze for a protected consumer shall provide the 470
following written notice: 471

"The parent or guardian of a minor under the age of 472
sixteen or the guardian or conservator of an incapacitated or 473
protected adult, collectively referred to as a "protected 474
consumer" may seek a credit freeze to protect the identity of a 475
protected consumer and ensure that credit is not inappropriately 476
granted in the protected consumer's name. In order to request a 477
credit freeze for a protected consumer, the protected consumer's 478
parent, guardian, or conservator must present sufficient proof 479
of authority to act on the protected consumer's behalf. The 480
parent, guardian, or conservator must also present sufficient 481
proof of identity for the parent, guardian, or conservator, in 482

addition to proof of identity for the protected consumer. 483

In order for the representative of a protected consumer to 484
request the removal of a credit freeze of a protected consumer, 485
the representative must contact the consumer credit reporting 486
agency and provide all of the following: 487

(a) Sufficient proof of identity for both the protected 488
consumer and the protected consumer's representative; 489

(b) Sufficient proof of authority to act on the behalf of 490
the protected consumer. 491

A consumer credit reporting agency that receives a request 492
by certified mail or other comparable service, secure electronic 493
method selected by the consumer credit reporting agency, 494
telephone, or by any other means authorized by the consumer 495
credit reporting agency from the representative of a protected 496
consumer to remove a security freeze on a credit report shall 497
comply with the request not later than three business days after 498
receiving the request. 499

Note that a credit reporting agency, at its own 500
discretion, may remove a security freeze when a minor protected 501
consumer reaches the age of sixteen. Also, when a minor 502
protected consumer reaches the age of sixteen, that person is no 503
longer considered a protected consumer, unless the person is 504
considered an adult protected consumer, and may request the 505
removal of a credit freeze. 506

A security freeze does not apply to circumstances in which 507
a protected consumer already has an existing account 508
relationship and a copy of the protected consumer's credit 509
report is requested by the protected consumer's existing 510
creditor or its agents or affiliates for certain types of 511

account review, collection, fraud control, or similar 512
activities. 513

If a protected consumer is actively seeking credit, it 514
should be understood that the procedures involved in removing a 515
security freeze may slow any applications for credit. Plan ahead 516
and remove a freeze a few days before actually applying for new 517
credit." 518

(G) A consumer credit reporting agency may release a 519
credit report on which a security freeze has been placed to the 520
following: 521

(1) A person, or subsidiary, affiliate, or agent of that 522
person, or an assignee of a financial obligation owing by the 523
protected consumer, to that person, or a prospective assignee of 524
a financial obligation owing by the protected consumer, to that 525
person in conjunction with the proposed purchase of the 526
financial obligation, with which the protected consumer has or 527
had prior to assignment an account or contract, including a 528
demand deposit account, or to whom the protected consumer issued 529
a negotiable instrument, for the purposes of reviewing the 530
account or collecting the financial obligation owing for the 531
account, contract, or negotiable instrument. For purposes of 532
this paragraph, "reviewing the account" includes activities 533
related to account maintenance, monitoring, credit line 534
increases, and account upgrades and enhancements. 535

(2) Any state or local law enforcement agency, trial 536
court, or private collection agency acting pursuant to a court 537
order, warrant, or subpoena; 538

(3) Any federal, state, or local governmental entity, 539
agency, or instrumentality that is acting within the entity's, 540

agency's, or instrumentality's authority; 541

(4) A state or local child support enforcement agency; 542

(5) A person seeking to use the information contained in 543
the consumer's credit report for the purpose of prescreening 544
pursuant to the "Fair Credit Reporting Act," 84 Stat. 1128 545
(1970), 15 U.S.C. 1681 et seq.; 546

(6) Any person or entity administering a credit file 547
monitoring subscription service to which the consumer has 548
subscribed; 549

(7) Any person or entity providing the protected 550
consumer's representative with a copy of the protected 551
consumer's credit report upon the representative's request; 552

(8) Any person or entity for use in setting or adjusting a 553
rate, adjusting a claim, or underwriting for insurance purposes; 554

(9) Any person or entity acting to investigate fraud or 555
acting to investigate or collect delinquent taxes or unpaid 556
court orders provided those responsibilities are consistent with 557
section 1681b of the "Fair Credit Reporting Act," 15 U.S.C. 1681 558
et seq. 559

(H) (1) Except as provided in division (H) (2) of this 560
section, a consumer credit reporting agency may charge a 561
protected consumer's representative the following fees with 562
regard to protected consumer credit freezes: 563

(a) A consumer credit reporting agency may charge a 564
protected consumer's representative a reasonable fee not to 565
exceed five dollars for placing a security freeze on that 566
protected consumer's credit report. If the protected consumer is 567
a victim of a violation of section 2913.49 of the Revised Code, 568

the consumer credit reporting agency shall not charge a fee to 569
place a security freeze on that protected consumer's credit 570
report, but that protected consumer's representative shall send 571
a copy of the police report related to the violation of section 572
2913.49 of the Revised Code to the consumer credit reporting 573
agency. 574

(b) A consumer credit reporting agency may charge a 575
protected consumer's representative a reasonable fee not to 576
exceed five dollars for removing a security freeze on that 577
protected consumer's credit report if the protected consumer's 578
representative elects to remove the security freeze on the 579
consumer's credit report. 580

(2) A consumer credit reporting agency shall not charge 581
any fee to any of the following individuals: 582

(a) A protected consumer representative that represents a 583
child in foster care; 584

(b) A minor protected consumer, or a minor protected 585
consumer's representative, for whom a credit report already 586
exists; 587

(c) A protected consumer for whom the security freeze is 588
removed by action of the consumer reporting agency under 589
division (D) (3) of this section or that protected consumer's 590
representative; 591

(d) An individual seeking to remove a security freeze 592
under division (D) (4) of this section. 593

(I) If a security freeze is in place, a consumer credit 594
reporting agency shall not change any of the following official 595
information in a credit report without sending a written 596
confirmation of the change to the protected consumer's 597

representative within thirty days of the change being posted to 598
the protected consumer's file: name; date of birth; social 599
security number; or address. Written confirmation is not 600
required for technical modifications of a consumer's official 601
information, including name and street abbreviations, complete 602
spellings, or transposition of numbers or letters. In the case 603
of an address change, the written confirmation shall be sent to 604
both the new address and to the former address. 605

(J) Divisions (K) to (P) of section 1349.52 of the Revised 606
Code apply with regard to protected consumer credit freezes in 607
the same manner and with the same effect as credit freezes 608
provided for in section 1349.52 of the Revised Code. 609

Section 2. That existing section 1349.52 of the Revised 610
Code is hereby repealed. 611