



Consumer Data Industry Association
1156 15TH Street NW, Suite 1250
Washington, D.C. 20005

CDIAONLINE.ORG

June 2, 2025

The Honorable Steve Wilson
Chair
Senate Financial Institutions, Insurance, and Technology Committee
Senate Building
1 Capitol Square
Second Floor
222

Chair Wilson and members of the committee:

On behalf of the Consumer Data Industry Association (CDIA), I am writing to express our concerns regarding provisions in Sub. SB 117 regarding Earned Wage Access Service Providers that conflict with and are preempted by federal law, specifically the Fair Credit Reporting Act (FCRA). For the reasons outlined below, we respectfully request the committee adopt a proposed amendment CDIA worked on with the sponsor and other proponents that strikes the reference to “consumer reporting agency” in line 362 on page 13, among other changes, to avoid unnecessary conflict between Ohio and federal law.

CDIA represents the consumer reporting industry, including nationwide credit bureaus, regional and specialized credit bureaus, background check companies, and more. Since our founding in 1906, we have promoted the responsible use of consumer data to empower financial opportunities, reduce fraud, and manage risk. Through data analytics, our members facilitate fair and secure transactions, foster competition, and expand consumers’ access to tailored financial products.

The FCRA establishes a comprehensive framework for the collection, dissemination, and use of consumer information, including credit reporting. The FCRA imposes obligations on companies (“furnishers”) that provide (“furnish”) information to consumer reporting agencies (“CRAs”). These obligations are in 15 U.S. Code § 1681s–2, responsibilities of furnishers of information to consumer reporting agencies. The FCRA has extensive preemption provisions that prohibit state regulation in many areas of law relating to consumer reporting, including provisions that impact furnishing requirements.

A safe and sound credit economy needs a reliable credit reporting system. Suppression of credit reporting leads to increasingly inaccurate credit files, reduces the reliability of credit reports and scores, and adds greater risk and uncertainty into the lending process. This is why Congress included language in the federal FCRA 15 U.S.C. § 1681t(b)(1)(F) which preempts “any subject matter regulated under...15 U.S.C. § 1681s–2, relating to the responsibilities of persons who furnish information to consumer reporting agencies...”.

While CDIA takes no position on the policy goals, we are concerned by the unnecessary restriction on reporting of information to consumer reporting agencies. As discussed above, Congress preempted the states from establishing prohibitions on the furnishing of information to consumer reporting agencies. As the limitation in like 25692 is inconsistent with the FCRA, it is preempted by 15 U.S.C. § 1681t(b)(1)(F).

With this in mind, we respectfully request the committee adopt the proposed amendment CDIA worked on with the sponsor and proponents. This would eliminate any unintentional conflict with the FCRA, fully resolve CDIA’s concerns, and avoid unnecessary legal uncertainties for consumer reporting agencies in relation to Ohio law. Thank you for your consideration of our comments.

Sincerely,

A handwritten signature in black ink, appearing to read "Zachary W. Taylor", is written over a horizontal line.

Zachary W. Taylor
Director, Government Relations
Consumer Data Industry Association