

**First Regular Session  
Sixty-fifth General Assembly  
STATE OF COLORADO**

**PREAMENDED**

This Unofficial Version Includes Committee  
Amendments Not Yet Adopted on Second Reading

LLS NO. 05-0751.01 Michael Dohr

**SENATE BILL 05-137**

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**SENATE SPONSORSHIP**

**Grossman**

**HOUSE SPONSORSHIP**

**Paccione, and Frangas**

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**Senate Committees**

**House Committees**

Business, Labor and Technology

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**A BILL FOR AN ACT**

101 **CONCERNING IDENTITY THEFT.**

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**Bill Summary**

*(Note: This summary applies to this bill as introduced and does not necessarily reflect any amendments that may be subsequently adopted.)*

Permits a consumer to put a security freeze on his or her credit report. Allows the consumer to temporarily lift the freeze to allow a particular entity access to the credit report for the purpose of issuing or extending credit to the consumer. Requires the freeze to be maintained until the consumer specifically requests its removal.

Requires that a consumer be notified of the right to place a security freeze on his or her credit report each time the consumer receives a summary of the rights relating to credit reports.

Compels a consumer reporting agency to notify the consumer

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.

*Capital letters indicate new material to be added to existing statute.*

*Dashes through the words indicate deletions from existing statute.*

within 5 days after releasing credit information that was in violation of a security freeze.

Allows a consumer who had credit information released in violation of a security freeze to bring a private civil right of action against the consumer reporting agency that released the information in violation of the security freeze.

Prohibits a consumer reporting agency from furnishing a consumer's credit header to someone who does not have a permissible basis to obtain the consumer credit header.

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1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1.** Title 12, Colorado Revised Statutes, is amended  
3 BY THE ADDITION OF A NEW ARTICLE to read:

4 **ARTICLE 14.7**

5 **Credit Report Security Freeze Act**

6 **12-14.7-101. Short title.** THIS ARTICLE SHALL BE KNOWN AND  
7 MAY BE CITED AS THE "CREDIT REPORT SECURITY FREEZE ACT".

8 **12-14.7-102. Definitions.** AS USED IN THIS ARTICLE, UNLESS THE  
9 CONTEXT OTHERWISE REQUIRES:

10 (1) "CONSUMER" MEANS AN INDIVIDUAL.

11 (2) "CONSUMER REPORT" OR "CREDIT REPORT" SHALL HAVE THE  
12 SAME MEANING AS SET FORTH IN SECTION 12-14.3-102 (3)., \_\_\_\_\_

13 \_\_\_\_\_  
14 (3) "CONSUMER REPORTING AGENCY" SHALL HAVE THE SAME  
15 MEANING AS SET FORTH IN SECTION 12-14.3-102 (4). \_\_\_\_\_

16 (4) "REVIEWING THE ACCOUNT" OR "ACCOUNT REVIEW" MEANS  
17 ACTIVITIES RELATED TO ACCOUNT MAINTENANCE, MONITORING,  
18 CREDIT-LINE INCREASES, AND ACCOUNT UPGRADES AND ENHANCEMENTS.

19 (5) "SECURITY FREEZE" MEANS A NOTICE, AT THE REQUEST OF A  
20 CONSUMER AND SUBJECT TO CERTAIN EXCEPTIONS, THAT PROHIBITS A

1 CONSUMER REPORTING AGENCY FROM RELEASING ALL OR ANY PART OF  
2 THE CONSUMER'S CREDIT REPORT OR ANY INFORMATION DERIVED FROM IT  
3 WITHOUT THE EXPRESS AUTHORIZATION OF THE CONSUMER.

4 **12-14.7-103. Security freeze - timing - covered entities - cost.**

5 (1) A CONSUMER MAY ELECT TO PLACE A SECURITY FREEZE ON HIS OR HER  
6 CREDIT REPORT BY:

7 (a) MAKING A REQUEST BY CERTIFIED MAIL;

8 (b) MAKING A REQUEST BY TELEPHONE AND PROVIDING CERTAIN  
9 PERSONAL IDENTIFICATION; OR

10 (c) MAKING A REQUEST DIRECTLY TO A CONSUMER REPORTING  
11 AGENCY THROUGH A SECURE ELECTRONIC MAIL CONNECTION IF SUCH A  
12 CONNECTION IS MADE AVAILABLE BY THE AGENCY.

13 (2) (a) A CONSUMER REPORTING AGENCY SHALL PLACE A SECURITY  
14 FREEZE ON A CONSUMER'S CREDIT REPORT NO LATER THAN FIVE BUSINESS  
15 DAYS AFTER RECEIVING A WRITTEN OR TELEPHONE REQUEST FROM THE  
16 CONSUMER PURSUANT TO PARAGRAPH (a) OR (b) OF SUBSECTION (1) OF  
17 THIS SECTION OR THREE BUSINESS DAYS AFTER RECEIVING A SECURE  
18 ELECTRONIC MAIL REQUEST PURSUANT TO PARAGRAPH (c) OF SUBSECTION  
19 (1) OF THIS SECTION.

20 (b) THE CONSUMER REPORTING AGENCY SHALL SEND A WRITTEN  
21 CONFIRMATION OF THE SECURITY FREEZE TO THE CONSUMER WITHIN FIVE  
22 BUSINESS DAYS AFTER PLACING THE SECURITY FREEZE AND, AT THE SAME  
23 TIME, SHALL PROVIDE THE CONSUMER WITH A UNIQUE PERSONAL  
24 IDENTIFICATION NUMBER OR PASSWORD TO BE USED BY THE CONSUMER  
25 WHEN PROVIDING AUTHORIZATION FOR THE RELEASE OF HIS OR HER CREDIT  
26 TO A SPECIFIC PARTY OR FOR A SPECIFIC PERIOD OF TIME.

27 (3) IF THE CONSUMER CHOOSES TO ALLOW HIS OR HER CREDIT

1 REPORT TO BE ACCESSED BY A SPECIFIC PARTY OR FOR A SPECIFIC PERIOD  
2 OF TIME WHILE A SECURITY FREEZE IS IN PLACE, HE OR SHE SHALL CONTACT  
3 THE CONSUMER REPORTING AGENCY VIA TELEPHONE, CERTIFIED MAIL, OR  
4 SECURE ELECTRONIC MAIL, TO REQUEST THAT THE SECURITY FREEZE BE  
5 TEMPORARILY LIFTED, AND PROVIDE THE FOLLOWING:

6 (a) PROPER IDENTIFICATION;

7 (b) THE UNIQUE PERSONAL IDENTIFICATION NUMBER OR PASSWORD  
8 PROVIDED BY THE CONSUMER REPORTING AGENCY PURSUANT TO  
9 PARAGRAPH (b) OF SUBSECTION (2) OF THIS SECTION; AND

10 (c) THE NECESSARY INFORMATION REGARDING THE THIRD PARTY  
11 WHO MAY RECEIVE THE CREDIT REPORT OR THE TIME PERIOD DURING  
12 WHICH THE REPORT SHALL BE AVAILABLE TO USERS OF THE CREDIT  
13 REPORT.

14 (4) A CONSUMER REPORTING AGENCY THAT RECEIVES A REQUEST  
15 FROM A CONSUMER TO TEMPORARILY LIFT A SECURITY FREEZE ON A CREDIT  
16 REPORT PURSUANT TO SUBSECTION (3) OF THIS SECTION SHALL COMPLY  
17 WITH THE REQUEST NO LATER THAN THREE BUSINESS DAYS AFTER  
18 RECEIVING THE REQUEST.

19 (5) (a) A CONSUMER REPORTING AGENCY SHALL ONLY REMOVE OR  
20 TEMPORARILY LIFT A SECURITY FREEZE PLACED ON A CONSUMER'S CREDIT  
21 REPORT UPON THE CONSUMER'S REQUEST PURSUANT TO:

22 (I) SUBSECTION (3) OR (7) OF THIS SECTION; OR

23 (II) IF THE CONSUMER'S CREDIT REPORT WAS FROZEN DUE TO A  
24 MATERIAL MISREPRESENTATION OF FACT BY THE CONSUMER.

25 (b) IF A CONSUMER REPORTING AGENCY INTENDS TO REMOVE A  
26 SECURITY FREEZE PLACED ON A CONSUMER'S CREDIT REPORT PURSUANT TO  
27 SUBPARAGRAPH (II) OF PARAGRAPH (a) OF THIS SUBSECTION (5), THE

1 CONSUMER REPORTING AGENCY SHALL NOTIFY THE CONSUMER IN WRITING  
2 FIVE BUSINESS DAYS PRIOR TO REMOVING THE FREEZE ON THE CONSUMER'S  
3 CREDIT REPORT.

4 (6) IF A THIRD PARTY REQUESTS ACCESS TO A CONSUMER CREDIT  
5 REPORT ON WHICH A SECURITY FREEZE IS IN EFFECT FOR THE PURPOSE OF  
6 RECEIVING, EXTENDING, OR OTHERWISE UTILIZING THE CREDIT THEREIN,  
7 AND NOT FOR THE SOLE PURPOSE OF ACCOUNT REVIEW, THE CONSUMER  
8 REPORTING AGENCY SHALL NOTIFY THE CONSUMER THAT AN ATTEMPT HAS  
9 BEEN MADE TO ACCESS THE CREDIT REPORT.

10 (7) A SECURITY FREEZE SHALL REMAIN IN PLACE UNTIL THE  
11 CONSUMER REQUESTS THAT THE SECURITY FREEZE BE REMOVED. A  
12 CONSUMER REPORTING AGENCY SHALL REMOVE A SECURITY FREEZE  
13 WITHIN THREE BUSINESS DAYS AFTER RECEIVING A REQUEST FOR REMOVAL  
14 FROM THE CONSUMER, WHO PROVIDES BOTH OF THE FOLLOWING:

15 (a) PROPER IDENTIFICATION; AND

16 (b) THE UNIQUE PERSONAL IDENTIFICATION NUMBER OR PASSWORD  
17 PROVIDED BY THE CONSUMER REPORTING AGENCY PURSUANT TO  
18 PARAGRAPH (b) OF SUBSECTION (2) OF THIS SECTION.

19 (8) A CONSUMER REPORTING AGENCY SHALL REQUIRE PROPER  
20 IDENTIFICATION OF THE PERSON MAKING A REQUEST TO PLACE OR REMOVE  
21 A SECURITY FREEZE.

22 (9) A CONSUMER REPORTING AGENCY SHALL NOT SUGGEST OR  
23 OTHERWISE STATE OR IMPLY TO A THIRD PARTY THAT THE CONSUMER'S  
24 SECURITY FREEZE REFLECTS A NEGATIVE CREDIT SCORE, HISTORY, REPORT,  
25 OR RATING.

26 (10) THE PROVISIONS OF THIS SECTION SHALL NOT APPLY TO THE  
27 USE OF A CONSUMER CREDIT REPORT BY ANY OF THE FOLLOWING:

1 (a) A PERSON, OR THE PERSON'S SUBSIDIARY, AFFILIATE, AGENT, OR  
2 ASSIGNEE, WITH WHICH THE CONSUMER HAS OR, PRIOR TO ASSIGNMENT,  
3 HAD AN ACCOUNT, CONTRACT, OR DEBTOR-CREDITOR RELATIONSHIP FOR  
4 THE PURPOSES OF REVIEWING THE ACCOUNT OR COLLECTING THE  
5 FINANCIAL OBLIGATION OWING FOR THE ACCOUNT, CONTRACT, OR DEBT;

6 (b) A SUBSIDIARY, AFFILIATE, AGENT, ASSIGNEE, OR PROSPECTIVE  
7 ASSIGNEE OF A PERSON TO WHOM ACCESS HAS BEEN GRANTED UNDER  
8 SUBSECTION (3) OF THIS SECTION FOR PURPOSES OF FACILITATING THE  
9 EXTENSION OF CREDIT OR OTHER PERMISSIBLE USE;

10 (c) A PERSON ACTING PURSUANT TO A COURT ORDER, WARRANT,  
11 OR SUBPOENA;

12 (d) A STATE OR LOCAL AGENCY THAT ADMINISTERS A PROGRAM  
13 FOR ESTABLISHING AND ENFORCING CHILD SUPPORT OBLIGATIONS;

14 (e) THE DEPARTMENT OF HEALTH CARE POLICY AND FINANCING OR  
15 ITS AGENTS OR ASSIGNEES ACTING TO INVESTIGATE FRAUD;

16 (f) THE DEPARTMENT OF HUMAN SERVICES OR ITS AGENTS OR  
17 ASSIGNEES ACTING TO INVESTIGATE FRAUD;

18 (g) THE DEPARTMENT OF REVENUE OR ITS AGENTS OR ASSIGNEES  
19 ACTING TO INVESTIGATE OR COLLECT DELINQUENT TAXES OR UNPAID  
20 COURT ORDERS OR TO FULFILL ITS OTHER STATUTORY RESPONSIBILITIES;

21 (h) A PERSON FOR THE PURPOSES OF PRESCREENING AS DEFINED BY  
22 THE "FAIR CREDIT REPORTING ACT", 15 U.S.C. SEC. 1681, ET SEQ.;

23 (i) A PERSON OR ENTITY ADMINISTERING A CREDIT FILE  
24 MONITORING SUBSCRIPTION SERVICE TO WHICH THE CONSUMER HAS  
25 SUBSCRIBED; =

26 (j) A PERSON OR ENTITY FOR THE PURPOSE OF PROVIDING A  
27 CONSUMER WITH A COPY OF HIS OR HER CREDIT REPORT UPON THE

1 CONSUMER'S REQUEST; OR

2 (k) A PERSON REQUESTING THE CONSUMER'S CREDIT REPORT FOR  
3 USE BY AN INSURANCE BUSINESS TO SET A RATE OR UNDERWRITE FOR  
4 INSURANCE PURPOSES PURSUANT TO SECTION 12-14.3-103.

5 (11) (a) EXCEPT AS OTHERWISE PROVIDED IN PARAGRAPH (b) OF  
6 THIS SUBSECTION (11), A CONSUMER SHALL NOT BE CHARGED FOR ANY  
7 SECURITY FREEZE SERVICES, INCLUDING BUT NOT LIMITED TO THE  
8 PLACEMENT OR LIFTING OF A SECURITY FREEZE.

9 (b) IF A CONSUMER FAILS TO RETAIN THE ORIGINAL PERSONAL  
10 IDENTIFICATION NUMBER PROVIDED BY THE CONSUMER REPORTING  
11 AGENCY, THE AGENCY SHALL NOT CHARGE THE CONSUMER FOR A  
12 ONE-TIME REISSUE OF THE SAME OR A NEW PERSONAL IDENTIFICATION  
13 NUMBER. THE CONSUMER REPORTING AGENCY MAY CHARGE THE  
14 CONSUMER NO MORE THAN FIVE DOLLARS FOR SUBSEQUENT INSTANCES OF  
15 LOSS AND REISSUANCE OR REPLACEMENT OF THE PERSONAL  
16 IDENTIFICATION NUMBER.

17 (12) THE FOLLOWING PERSONS ARE NOT REQUIRED TO PLACE A  
18 SECURITY FREEZE ON A CONSUMER REPORT PURSUANT TO THIS SECTION:

19 (a) A CHECK SERVICES COMPANY THAT ISSUES REPORTS ON  
20 INCIDENTS OF FRAUD OR AUTHORIZATIONS FOR THE PURPOSE OF  
21 APPROVING OR PROCESSING NEGOTIABLE INSTRUMENTS, ELECTRONIC FUND  
22 TRANSFERS, OR SIMILAR METHODS OF PAYMENT;

23 (b) A DEPOSIT ACCOUNT INFORMATION SERVICE COMPANY THAT  
24 ISSUES REPORTS REGARDING ACCOUNT DISCLOSURE DUE TO FRAUD,  
25 SUBSTANTIAL OVERDRAFTS, AUTOMATED TELLER MACHINE ABUSE, OR  
26 SIMILAR NEGATIVE INFORMATION REGARDING A CONSUMER TO INQUIRING  
27 BANKS OR FINANCIAL INSTITUTION; AND

1                   (c) A FRAUD PREVENTION SERVICES COMPANY ISSUING REPORTS TO  
2                   PREVENT OR INVESTIGATE FRAUD.

3                   **12-14.7-104. Notice of rights.** (1) AT ANY TIME THAT A  
4 CONSUMER IS REQUIRED TO RECEIVE A SUMMARY OF RIGHTS REQUIRED  
5 UNDER SECTION 609 OF THE "FAIR CREDIT REPORTING ACT" OR UNDER  
6 STATE LAW, THE FOLLOWING NOTICE SHALL BE INCLUDED:

7                   STATE CONSUMERS HAVE THE RIGHT TO OBTAIN A SECURITY FREEZE.

8                   YOU MAY OBTAIN A SECURITY FREEZE ON YOUR  
9 CREDIT REPORT AT NO CHARGE TO PROTECT YOUR PRIVACY  
10 AND ENSURE THAT CREDIT IS NOT GRANTED IN YOUR NAME  
11 WITHOUT YOUR KNOWLEDGE. YOU HAVE A RIGHT TO PLACE  
12 A SECURITY FREEZE ON YOUR CREDIT REPORT PURSUANT TO  
13 STATE LAW.

14                   THE SECURITY FREEZE WILL PROHIBIT A CONSUMER  
15 REPORTING AGENCY FROM RELEASING ANY INFORMATION IN  
16 YOUR CREDIT REPORT WITHOUT YOUR EXPRESS  
17 AUTHORIZATION OR APPROVAL.

18                   THE SECURITY FREEZE IS DESIGNED TO PREVENT  
19 CREDIT, LOANS, AND SERVICES FROM BEING APPROVED IN  
20 YOUR NAME WITHOUT YOUR CONSENT. WHEN YOU PLACE A  
21 SECURITY FREEZE ON YOUR CREDIT REPORT, WITHIN FIVE  
22 BUSINESS DAYS YOU WILL BE PROVIDED A PERSONAL  
23 IDENTIFICATION NUMBER OR PASSWORD TO USE IF YOU  
24 CHOOSE TO REMOVE THE SECURITY FREEZE ON YOUR CREDIT  
25 REPORT OR TO TEMPORARILY AUTHORIZE THE RELEASE OF  
26 YOUR CREDIT REPORT TO A SPECIFIC PARTY OR PARTIES OR  
27 FOR A PERIOD OF TIME AFTER THE SECURITY FREEZE IS IN

1 PLACE. TO PROVIDE THAT AUTHORIZATION, YOU MUST  
2 CONTACT THE CONSUMER REPORTING AGENCY AND PROVIDE  
3 ALL OF THE FOLLOWING: THE UNIQUE PERSONAL  
4 IDENTIFICATION NUMBER OR PASSWORD PROVIDED BY THE  
5 CONSUMER REPORTING AGENCY; PROPER IDENTIFICATION TO  
6 VERIFY YOUR IDENTITY; AND THE PROPER INFORMATION  
7 REGARDING THE THIRD PARTY OR PARTIES WHO ARE TO  
8 RECEIVE THE CREDIT REPORT OR THE PERIOD OF TIME FOR  
9 WHICH THE REPORT SHALL BE AVAILABLE TO USERS OF THE  
10 CREDIT REPORT.

11 A CONSUMER REPORTING AGENCY THAT RECEIVES A  
12 REQUEST FROM A CONSUMER TO TEMPORARILY LIFT A  
13 SECURITY FREEZE ON A CREDIT REPORT SHALL COMPLY WITH  
14 THE REQUEST NO LATER THAN THREE BUSINESS DAYS AFTER  
15 RECEIVING THE REQUEST.

16 A SECURITY FREEZE DOES NOT APPLY TO  
17 CIRCUMSTANCES WHERE YOU HAVE AN EXISTING ACCOUNT  
18 RELATIONSHIP AND A COPY OF YOUR REPORT IS REQUESTED  
19 BY YOUR EXISTING CREDITOR OR ITS AGENTS OR AFFILIATES  
20 FOR CERTAIN TYPES OF ACCOUNT REVIEW, COLLECTION,  
21 FRAUD CONTROL OR SIMILAR ACTIVITIES.

22 YOU SHOULD BE AWARE THAT USING A SECURITY  
23 FREEZE TO TAKE CONTROL OVER WHO GAINS ACCESS TO THE  
24 PERSONAL AND FINANCIAL INFORMATION IN YOUR CREDIT  
25 REPORT MAY DELAY, INTERFERE WITH, OR PROHIBIT THE  
26 TIMELY APPROVAL OF ANY SUBSEQUENT REQUEST OR  
27 APPLICATION YOU MAKE REGARDING NEW LOANS, CREDIT,

1           MORTGAGE, INSURANCE, GOVERNMENT SERVICES OR  
2           PAYMENTS, RENTAL HOUSING, EMPLOYMENT, INVESTMENT,  
3           LICENSE, CELLULAR PHONE, UTILITIES, DIGITAL SIGNATURE,  
4           INTERNET CREDIT CARD TRANSACTION, OR OTHER SERVICES,  
5           INCLUDING AN EXTENSION OF CREDIT AT THE POINT OF SALE.

6           A SECURITY FREEZE MAY SLOW YOUR APPLICATIONS FOR  
7           \_\_\_\_\_ YOU SHOULD PLAN AHEAD AND LIFT A SECURITY  
8           FREEZE EITHER COMPLETELY IF YOU ARE SHOPPING AROUND,  
9           OR SPECIFICALLY FOR A CERTAIN CREDITOR A FEW DAYS  
10          BEFORE ACTUALLY APPLYING FOR NEW CREDIT.

11           YOU HAVE A RIGHT TO BRING A CIVIL ACTION  
12          AGAINST A PERSON OR AGENCY WHO VIOLATES YOUR  
13          RIGHTS UNDER THE CREDIT REPORTING LAWS. THE ACTION  
14          CAN BE BROUGHT AGAINST A CONSUMER REPORTING  
15          AGENCY OR A USER OF YOUR CREDIT REPORT.

16          **12-14.7-105. Violations - penalties.** (1) IF A CONSUMER  
17          REPORTING AGENCY ERRONEOUSLY, INTENTIONALLY OR  
18          UNINTENTIONALLY, VIOLATES THE SECURITY FREEZE BY RELEASING CREDIT  
19          INFORMATION THAT HAS BEEN PLACED UNDER A SECURITY FREEZE, THE  
20          AFFECTED CONSUMER IS ENTITLED TO:

21           (a) NOTIFICATION FROM THE CONSUMER REPORTING AGENCY  
22          WITHIN FIVE BUSINESS DAYS AFTER RELEASE OF THE INFORMATION,  
23          INCLUDING SPECIFICITY AS TO THE INFORMATION RELEASED AND THE  
24          THIRD-PARTY RECIPIENT OF THE INFORMATION;

25           (b) FILE A COMPLAINT WITH THE FEDERAL TRADE COMMISSION AND  
26          THE STATE ATTORNEY GENERAL; AND

27           (c) FILE A CIVIL ACTION AGAINST THE CONSUMER REPORTING

1 AGENCY AND RECOVER:

2 (I) INJUNCTIVE RELIEF TO PREVENT OR RESTRAIN FURTHER  
3 VIOLATIONS OF THE SECURITY FREEZE; AND

4 (II) A CIVIL PENALTY IN AN AMOUNT NOT TO EXCEED TEN  
5 THOUSAND DOLLARS FOR EACH VIOLATION PLUS ANY DAMAGES AVAILABLE  
6 UNDER OTHER CIVIL LAWS AND REASONABLE EXPENSES, COURT COSTS,  
7 INVESTIGATIVE COSTS, AND ATTORNEY FEES.

8 (2) EACH VIOLATION OF A SECURITY FREEZE SHALL BE COUNTED AS  
9 A SEPARATE INCIDENT FOR PURPOSES OF IMPOSING PENALTIES UNDER THIS  
10 SECTION.

11 **SECTION 2.** Part 1 of article 14.3 of title 12, Colorado Revised  
12 Statutes, is amended BY THE ADDITION OF A NEW SECTION to  
13 read:

14 **12-14.3-110. Providing consumer credit header.** (1) A  
15 CONSUMER REPORTING AGENCY SHALL NOT FURNISH A CONSUMER'S  
16 CREDIT HEADER INFORMATION TO A PERSON OR AGENCY UNLESS THE  
17 PERSON OR AGENCY SEEKS TO OBTAIN THE CONSUMER'S CREDIT REPORT  
18 FOR A PERMISSIBLE PURPOSE UNDER THE "FAIR CREDIT REPORTING ACT",  
19 15 U.S.C. SEC. 1681 (b).

20 (2) FOR PURPOSES OF THIS SECTION, "CREDIT HEADER  
21 INFORMATION" MEANS THE WRITTEN, ORAL, OR OTHER COMMUNICATION  
22 OF INFORMATION BY A CONSUMER REPORTING AGENCY REGARDING THE  
23 SOCIAL SECURITY NUMBER OF A CONSUMER, OR ANY DERIVATIVE THEREOF,  
24 AND OTHER PERSONAL IDENTIFYING INFORMATION OF A CONSUMER THAT  
25 IS DERIVED USING NONPUBLIC PERSONAL INFORMATION, EXCEPT THE  
26 NAME, ADDRESS, AND TELEPHONE NUMBER OF A CONSUMER IF ALL ARE  
27 LISTED IN A RESIDENTIAL TELEPHONE DIRECTORY AVAILABLE IN THE

1 LOCALITY OF THE CONSUMER.

2           **SECTION 3. Safety clause.** The general assembly hereby finds,  
3 determines, and declares that this act is necessary for the immediate  
4 preservation of the public peace, health, and safety.