

Fifty-sixth
Legislative Assembly
of North Dakota

HOUSE BILL NO. 1305

Introduced by

Representatives Froelich, Eckre, Meyer, Nelson

Senators Fischer, Heitkamp

1 A BILL for an Act to provide for consumer access to credit report information; and to provide a
2 penalty.

3 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

4 **SECTION 1. Consumer access to credit reports - Civil penalty.** Upon request by a
5 North Dakota consumer, a consumer credit reporting agency shall allow the consumer to
6 visually inspect the agency's file maintained regarding that consumer at the time of the request;
7 provide to the consumer a decoded version of the consumer's agency file, including all
8 information in the file at the time of the request and an explanation of any code used in the file;
9 and provide to the consumer a record of all inquiries made in the last twelve months to the
10 agency regarding the consumer's file, by recipient, which resulted in the agency providing
11 information concerning the consumer. A consumer credit reporting agency shall provide free of
12 charge to a North Dakota consumer a notice each time the agency receives an inquiry
13 regarding the consumer's file which results in the agency providing information concerning the
14 consumer. The notice also must inform the consumer of the consumer's access rights under
15 this section. This section does not lessen any consumer protection provided by federal law.
16 Except as otherwise provided by state and federal law, a consumer credit reporting agency may
17 charge a consumer a reasonable amount for any information provided under this section. For
18 purposes of this section, "consumer credit reporting agency" means any person that, for fees or
19 dues, or on a cooperative nonprofit basis, regularly engages in the practice of assembling or
20 evaluating consumer credit information or other information on consumers for the purpose of
21 furnishing consumer reports to third parties. A credit reporting agency that violates this section
22 is subject to a civil penalty of one hundred dollars for each violation. The civil penalty may be
23 imposed by a court in a civil proceeding.