

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1500

Page 1, line 1, after "fraud" insert "; and to provide a penalty"

Page 1, line 3, after "**agencies**" insert "**- Enforcement - Penalty**"

Page 1, line 6, replace "police" with "identity" and after the first comma insert "as defined by that Act,"

Page 1, line 7, replace "thirty" with "four business"

Page 1, line 9, after the first "of" insert "identify theft defined by that Act, or"

Page 1, line 10, replace "a police report" with "an identity theft report, as defined by that Act,"

Page 1, line 13, after "information" insert a comma and remove ", in the exercise of good faith and judgment,"

Page 1, line 14, replace "believes" with "reasonably determines"

Page 1, line 15, replace "due to a misrepresentation of a material fact by" with "in error or a block was requested by the consumer in error;"

Page 1, remove line 16

Page 1, line 17, replace "due to fraud, in which the consumer participated" with "or a block was requested by the consumer, on the basis of a material misrepresentation of fact by the consumer relevant to the request or block; or"

Page 1, remove lines 18 and 19

Page 1, line 20, replace "agrees that portions of the blocked information or all of it were" with "obtained possession of money or goods, services, or money as a result of the blocked transaction or transactions."

Page 1, remove lines 21 through 24

Page 2, remove lines 1 through 4

Page 2, line 5, replace "blocked" with "a block of" and replace "unblocked pursuant to" with "declined or rescinded under"

Page 2, line 9, replace "The prior presence of the blocked information in the" with "If a consumer reporting agency rescinds a block, the presence of information in the file of a consumer before the blocking of the information is not evidence of whether the consumer knew or should have known that the consumer obtained possession of any goods, services, or money as a result of the block."

Page 2, remove lines 10 through 21

Page 2, line 22, replace "5." with "4."

Page 2, line 24, replace "a violation of this section" with "identity theft as defined by the Fair Credit Reporting Act [Pub. L. 90-321; 84 Stat. 1127; 15 U.S.C. 1681 et seq.]"

Page 2, line 25, replace "6." with "5."

Page 3, after line 10, insert:

"6. Except as otherwise prohibited by the Fair Credit Reporting Act [Pub. L. 90-321; 84 Stat. 1127; 15 U.S.C. 1681 et seq.], a violation of this section is a violation of chapter 51-15. The attorney general may enforce violations of this section. The attorney general, in enforcing this section, may seek all remedies and penalties in chapter 51-15. The remedies, duties, prohibitions, and penalties of this section and chapter 51-15 are not exclusive and are in addition to all other causes of action otherwise provided by law."

Renumber accordingly