

STATE SECURITY FREEZE LAWS

A security freeze or credit freeze is a tool available to a consumer to lock or "freeze" the consumer's credit report and credit score. When a consumer places a security freeze on his or her credit report, all third parties, such as credit lenders and other companies, whose use is not exempt under law are unable to access the consumer's credit report or credit score without the consumer's consent.

At the beginning of 2005, four states had security freeze legislation on the books. In California and Louisiana security freezes were available to all consumers. In Texas and Vermont a security freeze was available only to victims of identity theft. As of June 6, 2006, 23 states had passed security freeze legislation. Security freeze legislation was or is being considered in 2005 or 2006 in Alaska, Arizona, Delaware, Georgia, Indiana, Maryland, Massachusetts, Michigan, Mississippi, Missouri, Ohio, Pennsylvania, Rhode Island, South Carolina, Tennessee, Virginia, and West Virginia.

Following is a list of the states that have passed a security freeze law as well as information regarding the requirements of each state's security freeze and any fees that are assessed for placing or lifting the security freeze:

California

- Applies to all consumers.
- Effective January 1, 2003, subsequently amended to cap fees on nonidentity theft victims.
- No fee for victims to place the freeze; others pay up to \$10 per freeze; up to \$10 for temporary lift of freeze; \$12 for temporary lift for one creditor.

Colorado

- Applies to all consumers.
- Effective July 1, 2006.
- No fee for first freeze; \$10 to place a second freeze; \$10 to lift freeze; \$12 for temporary lift of freeze for one creditor.

Connecticut

- Applies to all consumers.
- Effective January 1, 2006.
- \$10 fee to place, lift, or lift freeze temporarily; \$12 to lift freeze for one creditor.

Florida

- Applies to all consumers.
- Effective July 1, 2006.
- No fee for identity theft victims; others pay up to \$10 to place, lift, or suspend a freeze.

Hawaii

- Applies only to victims of identity theft with an investigative police report or complaint filed with a law enforcement agency.
- Effective January 1, 2006.

- No fees permitted.

Illinois

- After January 1, 2007, will apply to all consumers; before January 1, 2007, the law applies only to identity theft victims.
- No fee for victims of identity theft and individuals 65 years of age and older; all others pay a \$10 fee to place, remove, or temporarily remove a freeze.

Kansas

- Applies only to victims of identity theft with an investigative police report or complaint filed with a law enforcement agency.
- Effective January 1, 2007.
- No fees permitted.

Kentucky

- Applies to all consumers.
- Effective July 1, 2006.
- No fees for identity theft victims who provide a police report; others pay up to \$10 to place, remove, or temporarily suspend a freeze or to have a PIN reissued.
- Freeze expires seven years from date of placement or earlier upon consumer's request.

Louisiana

- Applies to all consumers.
- Effective July 1, 2005.
- No fee for victims of identity theft or individuals 62 years of age or older; others pay \$10 to place the freeze and \$8 to lift the freeze.

Maine

- Applies to all consumers.
- Effective February 1, 2006.
- No fees for identity theft victims who provide a police report; others pay up to \$10 to place, remove, temporarily suspend, or have a PIN reissued; \$12 to lift the freeze for a specific creditor.

Minnesota

- Applies to all consumers.
- Effective August 1, 2006.
- No fees for identity theft victims who provide a police report; others pay \$5 to place, remove, temporarily suspend, or lift a freeze for a specific creditor or to have a PIN reissued.

Nevada

- Applies to all consumers.
- Effective October 1, 2005.
- No fee for identity theft victims who submit a police report; others pay \$15 to place the freeze, \$18 to lift the freeze; \$20 to lift the freeze for a specific creditor.

New Hampshire

- Applies to all consumers.
- Effective January 1, 2007.

- No fees for identity theft victims who submit a police report, investigative report, or complaint to a law enforcement agency; others pay \$10 to place, temporarily remove, or to lift the freeze.

New Jersey

- Applies to all consumers.
- Effective January 1, 2006.
- No fee for initial freeze; up to \$5 to remove or temporarily lift a freeze or to have PIN reissued; consumers are permitted to make such requests directly to consumer reporting agencies via secured electronic mail.

New York

- Applies to all consumers.
- Effective November 1, 2006.
- Free to place freeze the first time for everyone; after first time there is a \$5 fee to place, lift temporarily, or remove a freeze, except for victims of identity theft.

Oklahoma

- Applies to all consumers.
- Effective January 1, 2007.
- No fee for identity theft victims with investigative report and for individuals 65 years of age and older; others pay a \$10 fee to place, lift, or temporarily lift a freeze.

North Carolina

- Applies to all consumers.
- Effective December 1, 2005.
- No fees for identity theft victims with a valid report or complaint with a law enforcement agency; others pay up to \$10 to place, remove, or suspend a freeze.

South Dakota

- Applies to identity theft victims with a police report.
- Effective July 1, 2006.
- No fees to place, lift, or suspend a freeze.
- Identity theft victim can freeze only the credit report.

- Freeze expires after seven years from the date of placement or upon consumer's request, if earlier.

Texas

- Applies only to identity theft victims with a police report.
- Effective September 1, 2003.
- No fees to place, lift, or suspend a freeze.
- Placement of freeze at one credit reporting agency must be honored by all three reporting agencies.

Utah

- Applies to all consumers.
- Effective September 1, 2008.
- Allows for reasonable fees.
- Consumer can temporarily lift or "thaw" freeze within 15 minutes of an electronic request.

Vermont

- Applies to all consumers beginning July 1, 2006. Before July 1, 2006, only applies to identity theft victims with a police report or a complaint with a law enforcement agency.
- Effective July 1, 2005.
- No fees to place, lift, or suspend a freeze.

Washington

- Applies to identity theft victims, including individuals who receive a notice of a security breach of computerized personal information.
- Effective July 24, 2005.
- No fees to place, lift, or suspend a freeze.

Wisconsin

- Applies to all consumers.
- Effective January 1, 2007.
- No fees for an individual who submits evidence satisfactory to the consumer report agencies that the individual made a report to a law enforcement agency; up to \$10 for others to place, lift, or suspend a freeze.