

**As Reported by the House Financial Institutions, Housing, and Urban  
Development Committee**

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**H. B. No. 386**

**Representatives Henne, Kelly**

**Cosponsors: Representatives Rogers, Boggs, Dever, Hambley, Arndt, Riedel,  
Becker, West, DeVitis, Romanchuk, Smith, K., Leland**

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**A BILL**

To amend sections 1349.52 and 1349.521 of the  
Revised Code to modify the fees that a credit  
reporting agency can charge in relation to a  
credit report freeze.

**BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:**

**Section 1.** That sections 1349.52 and 1349.521 of the  
Revised Code be amended to read as follows:

**Sec. 1349.52.** (A) As used in this section and in section  
1349.521 of the Revised Code:

(1) "Adult protected consumer" means a protected consumer  
who is not a minor protected consumer.

(2) "Consumer credit reporting agency" means any person  
that, for monetary fees, dues, or on a cooperative nonprofit  
basis, regularly engages in whole or in part in the practice of  
maintaining consumers' credit information for the purpose of  
furnishing credit reports to third parties.

(3) "Credit report" means any written, oral, or other

communication of any credit information by a consumer credit 17  
reporting agency that operates or maintains a database of 18  
consumer credit information bearing on a consumer's credit 19  
worthiness, credit standing, or credit capacity. "Credit report" 20  
includes a credit record created for the purposes of complying 21  
with section 1349.521 of the Revised Code. 22

(4) "Credit record" means a compilation of information 23  
that meets both of the following: 24

(a) Identifies a protected consumer; 25

(b) Is created by a consumer reporting agency for the sole 26  
purpose of complying with section 1349.521 of the Revised Code. 27

(5) "Minor protected consumer" means an individual who is 28  
under sixteen years of age. 29

(6) "Protected consumer" means an individual, at the time 30  
a request for the placement of a security freeze is made, who 31  
meets either of the following: 32

(a) Is a minor protected consumer; 33

(b) Is a person for whom a guardian of the estate or 34  
conservator has been appointed. 35

(7) "Representative" means any person who provides 36  
sufficient proof of authority to a consumer credit reporting 37  
agency to act on the behalf of a protected consumer. 38  
"Representative" includes a parent, guardian, or conservator. 39

(8) "Security freeze" means a restriction placed in a 40  
consumer's or protected consumer's credit report at the request 41  
of the consumer or the protected consumer's representative that 42  
prohibits a consumer credit reporting agency from releasing all 43  
or any part of the consumer's or protected consumer's credit 44

report or any information derived from the consumer's or 45  
protected consumer's credit report relating to the extension of 46  
credit without the express authorization of the consumer or 47  
protected consumer's representative. 48

(9) "Sufficient proof of authority" means documentation 49  
that shows a representative has authority to act on behalf of a 50  
protected consumer. "Sufficient proof of authority" includes any 51  
of the following: 52

(a) An order issued by a court of competent jurisdiction; 53

(b) A lawfully executed and valid power of attorney; 54

(c) A birth certificate, naming the representative as a 55  
parent of the protected consumer, in the case of a minor 56  
protected consumer; 57

(d) A written, notarized statement signed by the 58  
representative that expressly describes the authority of the 59  
representative to act on behalf of the protected consumer. 60

(10) "Sufficient proof of identity" means information or 61  
documentation that identifies a protected consumer or a 62  
representative of a protected consumer. "Sufficient proof of 63  
identity" includes any of the following: 64

(a) A social security number or a copy of a social 65  
security card issued by the social security administration; 66

(b) A certified or official copy of a birth certificate 67  
issued by an entity authorized to issue the birth certificate; 68

(c) A copy of a driver's license, a state identification 69  
card, or any other government-issued identification; 70

(d) A copy of a bill, including a bill for telephone, 71

sewer, septic tank, water, electric, oil, or natural gas 72  
services, that shows a name and home address. 73

(11) "Other comparable service" means a service for which 74  
a receipt of delivery is provided. 75

(B) (1) Except as provided in division (B) (2) of this 76  
section, a consumer may elect to place a security freeze on the 77  
consumer's credit report by making a request to a consumer 78  
credit reporting agency in writing by certified mail or other 79  
comparable service or by any secured electronic method 80  
authorized by the consumer credit reporting agency. 81

(2) Security freezes for protected consumers shall be 82  
governed by section 1349.521 of the Revised Code. 83

(C) A consumer credit reporting agency shall place a 84  
security freeze on a credit report not later than three business 85  
days after receiving a request pursuant to division (B) of this 86  
section. The consumer credit reporting agency shall send a 87  
written confirmation of the security freeze to the consumer 88  
within five business days of placing the security freeze and, at 89  
the same time, shall provide the consumer with a unique personal 90  
identification number or password. The number or password shall 91  
not be the consumer's social security number. 92

(D) A consumer may allow the consumer's credit report to 93  
be accessed for a specific party or period of time while a 94  
security freeze is in place by contacting the consumer credit 95  
reporting agency by certified mail or other comparable service, 96  
secure electronic method selected by the consumer credit 97  
reporting agency, or telephone and requesting that the security 98  
freeze be temporarily lifted, and providing all of the 99  
following: 100

(1) Information generally considered sufficient to 101  
identify the consumer; 102

(2) The unique personal identification number or password 103  
provided by the consumer credit reporting agency pursuant to 104  
division (C) of this section; 105

(3) The proper information regarding the third party who 106  
is to receive the consumer credit report or the time period for 107  
which the consumer credit report shall be available to users of 108  
the credit report. 109

(E) (1) A consumer credit reporting agency that receives a 110  
request in writing by certified mail or other comparable service 111  
from a consumer to temporarily lift a security freeze on a 112  
credit report pursuant to division (D) of this section shall 113  
comply with the request not later than three business days after 114  
receiving the request. 115

(2) Except as otherwise provided in this section, a 116  
consumer credit reporting agency that receives a request by 117  
secure electronic method selected by the consumer credit 118  
reporting agency, telephone, or another means authorized by the 119  
consumer credit reporting agency from a consumer to temporarily 120  
lift a security freeze on a credit report pursuant to division 121  
(D) of this section shall comply with the request not later than 122  
fifteen minutes after receiving the request unless any of the 123  
following applies: 124

(a) The consumer fails to meet the requirements of 125  
division (D) of this section. 126

(b) The consumer credit reporting agency's ability to 127  
temporarily lift the security freeze within fifteen minutes is 128  
prevented by an act of God, including fire, earthquakes, 129

hurricanes, storms, or similar natural disaster or phenomena; 130  
unauthorized or illegal acts by a third party, including 131  
terrorism, sabotage, riot, vandalism, labor strikes or disputes 132  
disrupting operations, or similar occurrence; operational 133  
interruption, including electrical failure, unanticipated delay 134  
in equipment or replacement part delivery, computer hardware or 135  
software failures inhibiting response time, or similar 136  
disruption; governmental action, including emergency orders or 137  
regulations, judicial or law enforcement action, or similar 138  
directives; regularly scheduled maintenance, during other than 139  
normal business hours of, or updates to, the consumer credit 140  
reporting agency's systems; or commercially reasonable 141  
maintenance of, or repair to, the consumer credit reporting 142  
agency's systems that is unexpected or unscheduled. 143

(3) A consumer credit reporting agency shall remove or 144  
temporarily lift a security freeze placed on a credit report 145  
only in the following cases: 146

(a) Upon consumer request pursuant to division (D) of this 147  
section; 148

(b) If the credit report was frozen due to a material 149  
misrepresentation of fact by the consumer. If a consumer credit 150  
reporting agency intends to remove a security freeze upon a 151  
credit report pursuant to division (E) (3) (b) of this section, 152  
the consumer credit reporting agency shall notify the consumer 153  
in writing at least five business days prior to removing the 154  
security freeze on the credit report. 155

(F) A consumer credit reporting agency, when required by 156  
the "Fair Credit Reporting Act," 84 Stat. 1128 (1970), 15 U.S.C. 157  
1681g(c), to provide a summary of rights, or when receiving a 158  
request from a consumer for information about a security freeze, 159

shall provide the following written notice: 160

"Ohio Consumers Have the Right to Obtain a Security 161  
Freeze: 162

You may obtain a security freeze on your credit report to 163  
protect your privacy and ensure that credit is not granted in 164  
your name without your knowledge. You have a right to place a 165  
"security freeze" on your credit report pursuant to Ohio law. 166  
The security freeze will prohibit a consumer credit reporting 167  
agency from releasing any information in your credit report 168  
without your express authorization or approval. The security 169  
freeze is designed to prevent credit, loans, and services from 170  
being approved in your name without your consent. When you place 171  
a security freeze on your credit report, within five business 172  
days you will be provided a personal identification number or 173  
password to use if you choose to remove the security freeze on 174  
your credit report or to temporarily authorize the release of 175  
your credit report for a specific party or parties or for a 176  
specific period of time after the security freeze is in place. 177  
To provide that authorization, you must contact the consumer 178  
credit reporting agency and provide all of the following: 179

(a) Information generally considered sufficient to 180  
identify the consumer; 181

(b) The unique personal identification number or password 182  
provided by the consumer credit reporting agency; 183

(c) The proper information regarding the third party who 184  
is to receive the consumer credit report or the time period for 185  
which the credit report shall be available to users of the 186  
credit report. 187

A consumer credit reporting agency that receives a request 188

from a consumer to temporarily lift a security freeze on a 189  
credit report shall comply with the request not later than 190  
fifteen minutes after receiving the request. 191

A security freeze does not apply to circumstances in which 192  
you have an existing account relationship and a copy of your 193  
report is requested by your existing creditor or its agents or 194  
affiliates for certain types of account review, collection, 195  
fraud control, or similar activities. 196

If you are actively seeking credit, you should understand 197  
that the procedures involved in lifting a security freeze may 198  
slow your own applications for credit. You should plan ahead and 199  
lift a freeze, either completely if you are shopping around, or 200  
specifically for a certain creditor, a few days before actually 201  
applying for new credit." 202

(G) Except as otherwise provided in division (E) of this 203  
section, a consumer credit reporting agency shall keep a 204  
security freeze in place until the consumer requests that the 205  
security freeze be removed. A consumer credit reporting agency 206  
shall remove a security freeze within three business days of 207  
receiving a request by telephone or by any other means 208  
authorized by the consumer credit reporting agency for removal 209  
from the consumer when the consumer provides the following: 210

(1) Information generally considered sufficient to 211  
identify the consumer; 212

(2) The unique personal identification number or password 213  
provided by the consumer credit reporting agency pursuant to 214  
division (C) of this section. 215

(H) A consumer credit reporting agency may release a 216  
credit report on which a security freeze has been placed to the 217



following: 218

(1) A person, or subsidiary, affiliate, or agent of that 219  
person, or an assignee of a financial obligation owing by the 220  
consumer to that person, or a prospective assignee of a 221  
financial obligation owing by the consumer to that person in 222  
conjunction with the proposed purchase of the financial 223  
obligation, with which the consumer has or had prior to 224  
assignment an account or contract, including a demand deposit 225  
account, or to whom the consumer issued a negotiable instrument, 226  
for the purposes of reviewing the account or collecting the 227  
financial obligation owing for the account, contract, or 228  
negotiable instrument. For purposes of this paragraph, 229  
"reviewing the account" includes activities related to account 230  
maintenance, monitoring, credit line increases, and account 231  
upgrades and enhancements. 232

(2) A subsidiary, affiliate, agent, assignee, or 233  
prospective assignee of a person to whom access has been granted 234  
under division (D) of this section, for purposes of facilitating 235  
the extension of credit or other permissible use; 236

(3) Any state or local law enforcement agency, trial 237  
court, or private collection agency acting pursuant to a court 238  
order, warrant, or subpoena; 239

(4) Any federal, state, or local governmental entity, 240  
agency, or instrumentality that is acting within the entity's, 241  
agency's, or instrumentality's authority; 242

(5) A state or local child support enforcement agency; 243

(6) A person seeking to use the information contained in 244  
the consumer's credit report for the purpose of prescreening 245  
pursuant to the "Fair Credit Reporting Act," 84 Stat. 1128 246

(1970), 15 U.S.C. 1681 et seq.; 247

(7) Any person or entity administering a credit file 248  
monitoring subscription service to which the consumer has 249  
subscribed; 250

(8) Any person or entity providing a consumer with a copy 251  
of the consumer's credit report upon the consumer's request; 252

(9) Any person or entity for use in setting or adjusting a 253  
rate, adjusting a claim, or underwriting for insurance purposes; 254

(10) Any person or entity acting to investigate fraud or 255  
acting to investigate or collect delinquent taxes or unpaid 256  
court orders provided those responsibilities are consistent with 257  
section 1681b of the "Fair Credit Reporting Act," 15 U.S.C. 1681 258  
et seq. 259

(I) (1) A consumer credit reporting agency ~~may shall not~~ 260  
charge a consumer a ~~reasonable fee not to exceed five dollars~~ 261  
for placing a security freeze on that consumer's credit report. 262  
~~If the consumer is a victim of a violation of section 2913.49 of~~ 263  
~~the Revised Code, the consumer credit reporting agency shall not~~ 264  
~~charge a fee to place a security freeze on that consumer's~~ 265  
~~credit report, but that consumer shall send a copy of the police~~ 266  
~~report related to the violation of section 2913.49 of the~~ 267  
~~Revised Code to the consumer credit reporting agency.~~ 268

(2) A consumer credit reporting agency ~~may shall not~~ 269  
charge a consumer a ~~reasonable fee not to exceed five dollars~~ 270  
for removing or temporarily lifting a security freeze on that 271  
consumer's credit report if the consumer elects to remove or 272  
temporarily lift the security freeze on the consumer's credit 273  
report for a specific creditor ~~and may or~~ charge a consumer a 274  
~~reasonable fee not to exceed five dollars~~ if the consumer elects 275

to temporarily lift the security freeze for a specified period 276  
of time. 277

(3) A consumer credit reporting agency may charge a 278  
reasonable fee not to exceed five dollars to a consumer who 279  
fails to retain the original personal identification number 280  
provided by the consumer credit reporting agency and must be 281  
reissued the same or a new personal identification number. 282

(J) If a security freeze is in place, a consumer credit 283  
reporting agency shall not change any of the following official 284  
information in a credit report without sending a written 285  
confirmation of the change to the consumer within thirty days of 286  
the change being posted to the consumer's file: name; date of 287  
birth; social security number; or address. Written confirmation 288  
is not required for technical modifications of a consumer's 289  
official information, including name and street abbreviations, 290  
complete spellings, or transposition of numbers or letters. In 291  
the case of an address change, the written confirmation shall be 292  
sent to both the new address and to the former address. 293

(K) The provisions of this section do not apply to a 294  
consumer credit reporting agency that acts only as a reseller of 295  
credit information by assembling and merging information 296  
contained in the database of another consumer credit reporting 297  
agency or multiple consumer credit reporting agencies and does 298  
not maintain a permanent database of credit information from 299  
which new credit reports are produced, except that the reseller 300  
of credit information shall honor any security freeze placed on 301  
a credit report by another consumer credit reporting agency. 302

(L) The following entities are not required to place a 303  
security freeze in a credit report: 304

(1) A check services company or fraud prevention services 305  
company that issues reports on incidents of fraud or 306  
authorizations for the purpose of approving or processing 307  
negotiable instruments, electronic funds transfers, or similar 308  
methods of payments; 309

(2) A demand deposit account information service company 310  
that issues reports, regarding account closures due to fraud, 311  
substantial overdrafts, automated teller machine abuse, or 312  
similar negative information regarding a consumer, to inquiring 313  
banks or other financial institutions for use only in reviewing 314  
a consumer request for a demand deposit account at the inquiring 315  
bank or financial institution. 316

(3) A consumer reporting agency with regard to a database 317  
or file that is not a credit report or credit record and that 318  
consists entirely of consumer information concerning, and used 319  
solely for, one or more of the following: 320

(a) Criminal record information; 321

(b) Personal loss history information; 322

(c) Fraud prevention or detection; 323

(d) Employment screening; 324

(e) Tenant screening. 325

(M) (1) The attorney general may conduct an investigation 326  
if the attorney general, based on complaints or the attorney 327  
general's own inquiries, has reason to believe that a consumer 328  
credit reporting agency has failed or is failing to comply with 329  
this section. 330

(2) In any investigation conducted pursuant to this 331  
section, the attorney general may administer oaths, subpoena 332

witnesses, adduce evidence, and subpoena the production of any 333  
book, document, record, or other relevant matter. 334

(3) If the attorney general under division (M) (2) of this 335  
section subpoenas the production of any relevant matter that is 336  
located outside this state, the attorney general may designate a 337  
representative, including an official of the state in which that 338  
relevant matter is located, to inspect the relevant matter on 339  
the attorney general's behalf. The attorney general may carry 340  
out similar requests received from officials of other states. 341

(4) Any person who is subpoenaed to produce relevant 342  
matter pursuant to division (M) (2) of this section shall make 343  
that relevant matter available at a convenient location within 344  
this state or the state of the representative designated under 345  
division (M) (3) of this section. 346

(5) Any person who is subpoenaed as a witness or to 347  
produce relevant matter pursuant to division (M) (2) of this 348  
section may file in the court of common pleas of Franklin 349  
county, the county in this state in which the person resides, or 350  
the county in this state in which the person's principal place 351  
of business is located a petition to extend for good cause shown 352  
the date on which the subpoena is to be returned or to modify or 353  
quash for good cause shown that subpoena. The person may file 354  
the petition at any time prior to the date specified for the 355  
return of the subpoena or within twenty days after the service 356  
of the subpoena, whichever is earlier. 357

(6) Any person who is subpoenaed as a witness or to 358  
produce relevant matter pursuant to division (M) (2) of this 359  
section shall comply with the terms of the subpoena unless the 360  
court orders otherwise prior to the date specified for the 361  
return of the subpoena or, if applicable, that date as extended. 362

If a person fails without lawful excuse to obey a subpoena, the attorney general may apply to the court of common pleas for an order that does one or more of the following:

(a) Compels the requested discovery;

(b) Adjudges the person in contempt of court;

(c) Grants injunctive relief to restrain the person from failing to comply with section 1347.12 or 1349.19 of the Revised Code, whichever is applicable;

(d) Grants injunctive relief to preserve or restore the status quo;

(e) Grants other relief that may be required until the person obeys the subpoena.

(N) (1) The attorney general has the authority to bring a civil action in a court of common pleas for appropriate relief under this section, including a temporary restraining order, preliminary or permanent injunction, and civil penalties, if it appears that a consumer credit reporting agency has failed or is failing to comply with this section. Upon its finding that a consumer credit reporting agency has intentionally or recklessly failed to comply with this section, the court shall impose a civil penalty upon the consumer credit reporting agency of up to two thousand five hundred dollars for each instance that the consumer credit reporting agency fails to comply.

(2) Any civil penalty that is assessed under division (N) (1) of this section shall be deposited into the consumer protection enforcement fund created by section 1345.51 of the Revised Code.

(3) In determining the appropriate civil penalty to assess

under division (N)(1) of this section, the court shall consider 391  
all relevant factors, including the degree of the defendant's 392  
culpability, any history of prior violations of this section by 393  
the defendant, the defendant's ability to pay, the effect of the 394  
court's decision on the defendant's ability to continue to 395  
conduct the defendant's business, and whether or not the 396  
defendant acted in bad faith in failing to comply with this 397  
section. 398

(O) Any consumer credit reporting agency that is found by 399  
the court to have failed to comply with this section is liable 400  
to the attorney general for the attorney general's costs in 401  
conducting an investigation and bringing an action under this 402  
section. 403

(P) The rights and remedies that are provided under this 404  
section are in addition to any other rights or remedies that are 405  
provided by law. 406

**Sec. 1349.521.** (A)(1) A representative of a protected 407  
consumer may elect to place a security freeze on the protected 408  
consumer's credit report in the manner prescribed in division 409  
(B) of this section by making a request to a consumer credit 410  
reporting agency in writing by certified mail or other 411  
comparable service or by any secured electronic method 412  
authorized by the consumer credit reporting agency. 413

(2) A representative requesting a security freeze on a 414  
protected consumer's credit report shall provide to the credit 415  
reporting agency sufficient proof of authority and, for both the 416  
representative and the protected consumer, sufficient proof of 417  
identity. 418

(B)(1) A consumer credit reporting agency shall place a 419

security freeze on a credit report not later than thirty days 420  
after receiving a request pursuant to division (A) (1) of this 421  
section and the information required pursuant to division (A) (2) 422  
of this section. 423

(2) The consumer credit reporting agency shall send a 424  
written confirmation of the security freeze to the address 425  
associated with the protected consumer within five business days 426  
after placing the security freeze. 427

(C) (1) If a consumer credit reporting agency does not have 428  
a credit report pertaining to a protected consumer when the 429  
consumer reporting agency receives a request under division (A) 430  
(1) of this section related to that protected consumer, the 431  
consumer credit reporting agency shall create a credit record 432  
for the protected consumer and place a security freeze upon the 433  
credit record in accordance with division (B) of this section. 434

(2) A credit record created under division (C) (1) of this 435  
section shall not be used to consider the protected consumer's 436  
credit worthiness, credit standing, credit capacity, character, 437  
general reputation, or personal characteristics. 438

(D) A consumer credit reporting agency shall remove a 439  
security freeze placed on a credit report only in the following 440  
cases: 441

(1) If the credit report was frozen due to a material 442  
misrepresentation of fact by the protected consumer's 443  
representative. If a consumer credit reporting agency intends to 444  
remove a security freeze upon a credit report due to a material 445  
misrepresentation, the consumer credit reporting agency shall 446  
notify the protected consumer's representative in writing at 447  
least five business days prior to removing the security freeze 448



on the credit report. 449

(2) A protected consumer's representative requests that 450  
the security freeze be removed. A protected consumer's 451  
representative shall provide all of the following when 452  
requesting that a security freeze be removed: 453

(a) Sufficient proof of identity for both the protected 454  
consumer and the protected consumer's representative; 455

(b) Sufficient proof of authority to act on the behalf of 456  
the protected consumer. 457

(3) (a) Upon request of a protected consumer who has 458  
reached sixteen years of age. 459

(b) A consumer reporting agency shall develop a procedure 460  
by which a minor protected consumer, upon reaching sixteen years 461  
of age, may remove the security freeze created on the minor's 462  
behalf. The procedure shall, at a minimum, require the minor to 463  
provide sufficient proof of identity and age. 464

(E) A consumer credit reporting agency shall remove a 465  
security freeze within thirty days after receiving a request by 466  
certified mail or other comparable service, secure electronic 467  
method selected by the consumer credit reporting agency, 468  
telephone, or by any other means authorized by the consumer 469  
credit reporting agency for removal from a protected consumer's 470  
representative and of receiving the information specified in 471  
division (D) (2) of this section. 472

(F) A consumer credit reporting agency, when required by 473  
the "Fair Credit Reporting Act," 84 Stat. 1128 (1970), 15 U.S.C. 474  
1681g(c) to provide a summary of rights, or when providing the 475  
written confirmation required under division (B) (2) of this 476  
section, shall provide the following written notice: 477

"The parent or guardian of a minor under the age of sixteen or the guardian or conservator of an incapacitated or protected adult, collectively referred to as a "protected consumer" may seek a security freeze to protect the identity of a protected consumer and ensure that credit is not inappropriately granted in the protected consumer's name. In order to request a security freeze for a protected consumer, the protected consumer's parent, guardian, or conservator must present sufficient proof of authority to act on the protected consumer's behalf. The parent, guardian, or conservator must also present sufficient proof of identity for the parent, guardian, or conservator, in addition to proof of identity for the protected consumer.

In order for the representative of a protected consumer to request the removal of a security freeze of a protected consumer, the representative must contact the consumer credit reporting agency and provide all of the following:

(a) Sufficient proof of identity for both the protected consumer and the protected consumer's representative;

(b) Sufficient proof of authority to act on the behalf of the protected consumer.

A minor protected consumer, upon reaching sixteen years of age, may also request that the security freeze be removed. A minor protected consumer making such a request must provide proof of identity and age.

A consumer credit reporting agency that receives a proper request by certified mail or other comparable service, secure electronic method selected by the consumer credit reporting agency, telephone, or by any other means authorized by the

consumer credit reporting agency to remove a security freeze on 507  
a credit report shall comply with the request not later than 508  
thirty days after receiving the request. 509

A security freeze does not apply to circumstances in which 510  
a protected consumer already has an existing account 511  
relationship and a copy of the protected consumer's credit 512  
report is requested by the protected consumer's existing 513  
creditor or its agents or affiliates for certain types of 514  
account review, collection, fraud control, or similar 515  
activities. 516

If a protected consumer is actively seeking credit, it 517  
should be understood that the procedures involved in removing a 518  
security freeze may slow any applications for credit. Plan ahead 519  
and remove a freeze a month before actually applying for new 520  
credit." 521

(G)(1) With regard to adult protected consumers, a 522  
consumer credit reporting agency may release a credit report on 523  
which a security freeze has been placed to the following: 524

(a) A person, or subsidiary, affiliate, or agent of that 525  
person, or an assignee of a financial obligation owing by the 526  
protected consumer, to that person, or a prospective assignee of 527  
a financial obligation owing by the protected consumer, to that 528  
person in conjunction with the proposed purchase of the 529  
financial obligation, with which the protected consumer has or 530  
had prior to assignment an account or contract, including a 531  
demand deposit account, or to whom the protected consumer issued 532  
a negotiable instrument, for the purposes of reviewing the 533  
account or collecting the financial obligation owing for the 534  
account, contract, or negotiable instrument. For purposes of 535  
this paragraph, "reviewing the account" includes activities 536

related to account maintenance, monitoring, credit line 537  
increases, and account upgrades and enhancements. 538

(b) A person seeking to use the information contained in 539  
the consumer's credit report for the purpose of prescreening 540  
pursuant to the "Fair Credit Reporting Act," 84 Stat. 1128 541  
(1970), 15 U.S.C. 1681 et seq.; 542

(c) Any person or entity for use in any of the following 543  
insurance purposes: 544

(i) Setting or adjusting a rate; 545

(ii) Adjusting a claim; 546

(iii) Underwriting. 547

(2) With regard to all protected consumers, a consumer 548  
credit reporting agency may release a credit report on which a 549  
security freeze has been placed to the following: 550

(a) Any state or local law enforcement agency, trial 551  
court, or private collection agency acting pursuant to a court 552  
order, warrant, or subpoena; 553

(b) Any federal, state, or local governmental entity, 554  
agency, or instrumentality that is acting within the entity's, 555  
agency's, or instrumentality's authority; 556

(c) A state or local child support enforcement agency; 557

(d) A person seeking to use the information contained in 558  
the consumer's credit report for the purpose of prescreening 559  
pursuant to the "Fair Credit Reporting Act," 84 Stat. 1128 560  
(1970), 15 U.S.C. 1681 et seq.; 561

(e) Any person or entity administering a credit file 562  
monitoring subscription service to which the consumer has 563

subscribed; 564

(f) Any person or entity providing the protected 565  
consumer's representative with a copy of the protected 566  
consumer's credit report upon the representative's request; 567

(g) Any person or entity for use in any of the following 568  
insurance purposes: 569

(i) Setting or adjusting a rate; 570

(ii) Adjusting a claim; 571

(iii) Underwriting. 572

(h) Any person or entity acting to investigate fraud or 573  
acting to investigate or collect delinquent taxes or unpaid 574  
court orders provided those responsibilities are consistent with 575  
section 1681b of the "Fair Credit Reporting Act," 15 U.S.C. 1681 576  
et seq. 577

(i) An individual seeking to remove a security freeze 578  
under division (D) (3) of this section. 579

~~(H) (1) Except as provided in division (H) (2) of this 580  
section, a consumer credit reporting agency may charge a 581  
protected consumer's representative the following fees with 582  
regard to protected consumer security freezes: 583~~

(a) A consumer credit reporting agency ~~may~~ shall not 584  
charge a protected consumer's representative a ~~reasonable fee~~ 585  
~~not to exceed five dollars~~ for placing a security freeze on that 586  
protected consumer's credit report. ~~If the protected consumer is~~ 587  
~~a victim of a violation of section 2913.49 of the Revised Code,~~ 588  
~~the consumer credit reporting agency shall not charge a fee to~~ 589  
~~place a security freeze on that protected consumer's credit~~ 590  
~~report, but that protected consumer's representative shall send~~ 591

~~a copy of the police report related to the violation of section-~~ 592  
~~2913.49 of the Revised Code to the consumer credit reporting-~~ 593  
~~agency.~~ 594

(b) A consumer credit reporting agency ~~may~~ shall not 595  
charge a protected consumer's representative a ~~reasonable~~ fee 596  
~~not to exceed five dollars~~ for removing a security freeze on 597  
that protected consumer's credit report if the protected 598  
consumer's representative elects to remove the security freeze 599  
on the consumer's credit report. 600

(2) A consumer credit reporting agency shall not charge 601  
any fee to any of the following individuals: 602

(a) A protected consumer representative that represents a 603  
child in foster care; 604

(b) A minor protected consumer, or a minor protected 605  
consumer's representative, for whom a credit report already 606  
exists; 607

(c) An individual seeking to remove a security freeze 608  
under division (D) (3) of this section. 609

(I) If a security freeze is in place, a consumer credit 610  
reporting agency shall not change any of the following official 611  
information in a credit report without sending a written 612  
confirmation of the change to the protected consumer's 613  
representative within thirty days of the change being posted to 614  
the protected consumer's file: name; date of birth; social 615  
security number; or address. Written confirmation is not 616  
required for technical modifications of a consumer's official 617  
information, including name and street abbreviations, complete 618  
spellings, or transposition of numbers or letters. In the case 619  
of an address change, the written confirmation shall be sent to 620

both the new address and to the former address. 621

(J) Divisions (K) to (P) of section 1349.52 of the Revised 622

Code apply with regard to protected consumer security freezes in 623

the same manner and with the same effect as security freezes 624

provided for in section 1349.52 of the Revised Code. 625

**Section 2.** That existing sections 1349.52 and 1349.521 of 626

the Revised Code are hereby repealed. 627