

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

**131st General Assembly**

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**Sub. H. B. No. 317**

**Representative Maag**

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**A BILL**

To amend section 1349.52 and to enact section 1  
1349.521 of the Revised Code to enable the 2  
parents or guardian of a protected consumer to 3  
freeze that consumer's credit to protect the 4  
consumer from identity theft. 5

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

**Section 1.** That section 1349.52 be amended and section 6  
1349.521 of the Revised Code be enacted to read as follows: 7

**Sec. 1349.52.** (A) As used in this section and in section 8  
1349.521 of the Revised Code: 9

(1) "Adult protected consumer" means a protected consumer 10  
who is not a minor protected consumer. 11

(2) "Consumer credit reporting agency" means any person 12  
that, for monetary fees, dues, or on a cooperative nonprofit 13  
basis, regularly engages in whole or in part in the practice of 14  
maintaining consumers' credit information for the purpose of 15  
furnishing credit reports to third parties. 16

~~(2)~~ (3) "Credit report" means any written, oral, or other 17

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

~~(3)~~ (4) "Credit record" means a compilation of information that meets both of the following:

(a) Identifies a protected consumer;

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

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

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

(a) Is a minor protected consumer;

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

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

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

report or any information derived from the consumer's or 46  
protected consumer's credit report relating to the extension of 47  
credit without the express authorization of the consumer or 48  
protected consumer's representative. 49

~~(4)~~ (9) "Sufficient proof of authority" means 50  
documentation that shows a representative has authority to act 51  
on behalf of a protected consumer. "Sufficient proof of 52  
authority" includes any of the following: 53

(a) An order issued by a court of competent jurisdiction; 54

(b) A lawfully executed and valid power of attorney; 55

(c) A birth certificate, naming the representative as a 56  
parent of the protected consumer, in the case of a minor 57  
protected consumer; 58

(d) A written, notarized statement signed by the 59  
representative that expressly describes the authority of the 60  
representative to act on behalf of the protected consumer. 61

(10) "Sufficient proof of identity" means information or 62  
documentation that identifies a protected consumer or a 63  
representative of a protected consumer. "Sufficient proof of 64  
identity" includes any of the following: 65

(a) A social security number or a copy of a social 66  
security card issued by the social security administration; 67

(b) A certified or official copy of a birth certificate 68  
issued by an entity authorized to issue the birth certificate; 69

(c) A copy of a driver's license, a state identification 70  
card, or any other government-issued identification; 71

(d) A copy of a bill, including a bill for telephone, 72

sewer, septic tank, water, electric, oil, or natural gas 73  
services, that shows a name and home address. 74

(11) "Other comparable service" means a service for which 75  
a receipt of delivery is provided. 76

(B) ~~A~~ (1) Except as provided in division (B) (2) of this 77  
section, a consumer may elect to place a security freeze on the 78  
consumer's credit report by making a request to a consumer 79  
credit reporting agency in writing by certified mail or other 80  
comparable service or by any secured electronic method 81  
authorized by the consumer credit reporting agency. 82

(2) Security freezes for protected consumers shall be 83  
governed by section 1349.521 of the Revised Code. 84

(C) A consumer credit reporting agency shall place a 85  
security freeze on a credit report not later than three business 86  
days after receiving a request pursuant to division (B) of this 87  
section. The consumer credit reporting agency shall send a 88  
written confirmation of the security freeze to the consumer 89  
within five business days of placing the security freeze and, at 90  
the same time, shall provide the consumer with a unique personal 91  
identification number or password. The number or password shall 92  
not be the consumer's social security number. 93

(D) A consumer may allow the consumer's credit report to 94  
be accessed for a specific party or period of time while a 95  
security freeze is in place by contacting the consumer credit 96  
reporting agency by certified mail or other comparable service, 97  
secure electronic method selected by the consumer credit 98  
reporting agency, or telephone and requesting that the security 99  
freeze be temporarily lifted, and providing all of the 100  
following: 101

(1) Information generally considered sufficient to identify the consumer;	102 103
(2) The unique personal identification number or password provided by the consumer credit reporting agency pursuant to division (C) of this section;	104 105 106
(3) The proper information regarding the third party who is to receive the consumer credit report or the time period for which the consumer credit report shall be available to users of the credit report.	107 108 109 110
(E) (1) A consumer credit reporting agency that receives a request in writing by certified mail or other comparable service from a consumer to temporarily lift a security freeze on a credit report pursuant to division (D) of this section shall comply with the request not later than three business days after receiving the request.	111 112 113 114 115 116
(2) Except as otherwise provided in this section, a consumer credit reporting agency that receives a request by secure electronic method selected by the consumer credit reporting agency, telephone, or another means authorized by the consumer credit reporting agency from a consumer to temporarily lift a security freeze on a credit report pursuant to division (D) of this section shall comply with the request not later than fifteen minutes after receiving the request unless any of the following applies:	117 118 119 120 121 122 123 124 125
(a) The consumer fails to meet the requirements of division (D) of this section.	126 127
(b) The consumer credit reporting agency's ability to temporarily lift the security freeze within fifteen minutes is prevented by an act of God, including fire, earthquakes,	128 129 130

hurricanes, storms, or similar natural disaster or phenomena; 131  
unauthorized or illegal acts by a third party, including 132  
terrorism, sabotage, riot, vandalism, labor strikes or disputes 133  
disrupting operations, or similar occurrence; operational 134  
interruption, including electrical failure, unanticipated delay 135  
in equipment or replacement part delivery, computer hardware or 136  
software failures inhibiting response time, or similar 137  
disruption; governmental action, including emergency orders or 138  
regulations, judicial or law enforcement action, or similar 139  
directives; regularly scheduled maintenance, during other than 140  
normal business hours of, or updates to, the consumer credit 141  
reporting agency's systems; or commercially reasonable 142  
maintenance of, or repair to, the consumer credit reporting 143  
agency's systems that is unexpected or unscheduled. 144

(3) A consumer credit reporting agency shall remove or 145  
temporarily lift a security freeze placed on a credit report 146  
only in the following cases: 147

(a) Upon consumer request pursuant to division (D) of this 148  
section; 149

(b) If the credit report was frozen due to a material 150  
misrepresentation of fact by the consumer. If a consumer credit 151  
reporting agency intends to remove a security freeze upon a 152  
credit report pursuant to division (E) (3) (b) of this section, 153  
the consumer credit reporting agency shall notify the consumer 154  
in writing at least five business days prior to removing the 155  
security freeze on the credit report. 156

(F) A consumer credit reporting agency, when required by 157  
the "Fair Credit Reporting Act," 84 Stat. 1128 (1970), 15 U.S.C. 158  
1681g(c), to provide a summary of rights, or when receiving a 159  
request from a consumer for information about a security freeze, 160

shall provide the following written notice: 161

"Ohio Consumers Have the Right to Obtain a Security 162  
Freeze: 163

You may obtain a security freeze on your credit report to 164  
protect your privacy and ensure that credit is not granted in 165  
your name without your knowledge. You have a right to place a 166  
"security freeze" on your credit report pursuant to Ohio law. 167  
The security freeze will prohibit a consumer credit reporting 168  
agency from releasing any information in your credit report 169  
without your express authorization or approval. The security 170  
freeze is designed to prevent credit, loans, and services from 171  
being approved in your name without your consent. When you place 172  
a security freeze on your credit report, within five business 173  
days you will be provided a personal identification number or 174  
password to use if you choose to remove the security freeze on 175  
your credit report or to temporarily authorize the release of 176  
your credit report for a specific party or parties or for a 177  
specific period of time after the security freeze is in place. 178  
To provide that authorization, you must contact the consumer 179  
credit reporting agency and provide all of the following: 180

(a) Information generally considered sufficient to 181  
identify the consumer; 182

(b) The unique personal identification number or password 183  
provided by the consumer credit reporting agency; 184

(c) The proper information regarding the third party who 185  
is to receive the consumer credit report or the time period for 186  
which the credit report shall be available to users of the 187  
credit report. 188

A consumer credit reporting agency that receives a request 189

from a consumer to temporarily lift a security freeze on a 190  
credit report shall comply with the request not later than 191  
fifteen minutes after receiving the request. 192

A security freeze does not apply to circumstances in which 193  
you have an existing account relationship and a copy of your 194  
report is requested by your existing creditor or its agents or 195  
affiliates for certain types of account review, collection, 196  
fraud control, or similar activities. 197

If you are actively seeking credit, you should understand 198  
that the procedures involved in lifting a security freeze may 199  
slow your own applications for credit. You should plan ahead and 200  
lift a freeze, either completely if you are shopping around, or 201  
specifically for a certain creditor, a few days before actually 202  
applying for new credit. 203

(G) Except as otherwise provided in division (E) of this 204  
section, a consumer credit reporting agency shall keep a 205  
security freeze in place until the consumer requests that the 206  
security freeze be removed. A consumer credit reporting agency 207  
shall remove a security freeze within three business days of 208  
receiving a request by telephone or by any other means 209  
authorized by the consumer credit reporting agency for removal 210  
from the consumer when the consumer provides the following: 211

(1) Information generally considered sufficient to 212  
identify the consumer; 213

(2) The unique personal identification number or password 214  
provided by the consumer credit reporting agency pursuant to 215  
division (C) of this section. 216

(H) A consumer credit reporting agency may release a 217  
credit report on which a security freeze has been placed to the 218



following:	219
(1) A person, or subsidiary, affiliate, or agent of that	220
person, or an assignee of a financial obligation owing by the	221
consumer to that person, or a prospective assignee of a	222
financial obligation owing by the consumer to that person in	223
conjunction with the proposed purchase of the financial	224
obligation, with which the consumer has or had prior to	225
assignment an account or contract, including a demand deposit	226
account, or to whom the consumer issued a negotiable instrument,	227
for the purposes of reviewing the account or collecting the	228
financial obligation owing for the account, contract, or	229
negotiable instrument. For purposes of this paragraph,	230
"reviewing the account" includes activities related to account	231
maintenance, monitoring, credit line increases, and account	232
upgrades and enhancements.	233
(2) A subsidiary, affiliate, agent, assignee, or	234
prospective assignee of a person to whom access has been granted	235
under division (D) of this section, for purposes of facilitating	236
the extension of credit or other permissible use;	237
(3) Any state or local law enforcement agency, trial	238
court, or private collection agency acting pursuant to a court	239
order, warrant, or subpoena;	240
(4) Any federal, state, or local governmental entity,	241
agency, or instrumentality that is acting within the entity's,	242
agency's, or instrumentality's authority;	243
(5) A state or local child support enforcement agency;	244
(6) A person seeking to use the information contained in	245
the consumer's credit report for the purpose of prescreening	246
pursuant to the "Fair Credit Reporting Act," 84 Stat. 1128	247

(1970), 15 U.S.C. 1681 et seq.;	248
(7) Any person or entity administering a credit file monitoring subscription service to which the consumer has subscribed;	249 250 251
(8) Any person or entity providing a consumer with a copy of the consumer's credit report upon the consumer's request;	252 253
(9) Any person or entity for use in setting or adjusting a rate, adjusting a claim, or underwriting for insurance purposes;	254 255
(10) Any person or entity acting to investigate fraud or acting to investigate or collect delinquent taxes or unpaid court orders provided those responsibilities are consistent with section 1681b of the "Fair Credit Reporting Act," 15 U.S.C. 1681 et seq.	256 257 258 259 260
(I) (1) A consumer credit reporting agency may charge a consumer a reasonable fee not to exceed five dollars for placing a security freeze on that consumer's credit report. If the consumer is a victim of a violation of section 2913.49 of the Revised Code, the consumer credit reporting agency shall not charge a fee to place a security freeze on that consumer's credit report, but that consumer shall send a copy of the police report related to the violation of section 2913.49 of the Revised Code to the consumer credit reporting agency.	261 262 263 264 265 266 267 268 269
(2) A consumer credit reporting agency may charge a consumer a reasonable fee not to exceed five dollars for removing or temporarily lifting a security freeze on that consumer's credit report if the consumer elects to remove or temporarily lift the security freeze on the consumer's credit report for a specific creditor and may charge a consumer a reasonable fee not to exceed five dollars if the consumer elects	270 271 272 273 274 275 276

to temporarily lift the security freeze for a specified period 277  
of time. 278

(3) A consumer credit reporting agency may charge a 279  
reasonable fee not to exceed five dollars to a consumer who 280  
fails to retain the original personal identification number 281  
provided by the consumer credit reporting agency and must be 282  
reissued the same or a new personal identification number. 283

(J) If a security freeze is in place, a consumer credit 284  
reporting agency shall not change any of the following official 285  
information in a credit report without sending a written 286  
confirmation of the change to the consumer within thirty days of 287  
the change being posted to the consumer's file: name; date of 288  
birth; social security number; or address. Written confirmation 289  
is not required for technical modifications of a consumer's 290  
official information, including name and street abbreviations, 291  
complete spellings, or transposition of numbers or letters. In 292  
the case of an address change, the written confirmation shall be 293  
sent to both the new address and to the former address. 294

(K) The provisions of this section do not apply to a 295  
consumer credit reporting agency that acts only as a reseller of 296  
credit information by assembling and merging information 297  
contained in the database of another consumer credit reporting 298  
agency or multiple consumer credit reporting agencies and does 299  
not maintain a permanent database of credit information from 300  
which new credit reports are produced, except that the reseller 301  
of credit information shall honor any security freeze placed on 302  
a credit report by another consumer credit reporting agency. 303

(L) The following entities are not required to place a 304  
security freeze in a credit report: 305

(1) A check services company or fraud prevention services 306  
company that issues reports on incidents of fraud or 307  
authorizations for the purpose of approving or processing 308  
negotiable instruments, electronic funds transfers, or similar 309  
methods of payments; 310

(2) A demand deposit account information service company 311  
that issues reports, regarding account closures due to fraud, 312  
substantial overdrafts, automated teller machine abuse, or 313  
similar negative information regarding a consumer, to inquiring 314  
banks or other financial institutions for use only in reviewing 315  
a consumer request for a demand deposit account at the inquiring 316  
bank or financial institution. 317

(3) A consumer reporting agency with regard to a database 318  
or file that is not a credit report or credit record and that 319  
consists entirely of consumer information concerning, and used 320  
solely for, one or more of the following: 321

(a) Criminal record information; 322

(b) Personal loss history information; 323

(c) Fraud prevention or detection; 324

(d) Employment screening; 325

(e) Tenant screening. 326

(M) (1) The attorney general may conduct an investigation 327  
if the attorney general, based on complaints or the attorney 328  
general's own inquiries, has reason to believe that a consumer 329  
credit reporting agency has failed or is failing to comply with 330  
this section. 331

(2) In any investigation conducted pursuant to this 332  
section, the attorney general may administer oaths, subpoena 333

witnesses, adduce evidence, and subpoena the production of any 334  
book, document, record, or other relevant matter. 335

(3) If the attorney general under division (M) (2) of this 336  
section subpoenas the production of any relevant matter that is 337  
located outside this state, the attorney general may designate a 338  
representative, including an official of the state in which that 339  
relevant matter is located, to inspect the relevant matter on 340  
the attorney general's behalf. The attorney general may carry 341  
out similar requests received from officials of other states. 342

(4) Any person who is subpoenaed to produce relevant 343  
matter pursuant to division (M) (2) of this section shall make 344  
that relevant matter available at a convenient location within 345  
this state or the state of the representative designated under 346  
division (M) (3) of this section. 347

(5) Any person who is subpoenaed as a witness or to 348  
produce relevant matter pursuant to division (M) (2) of this 349  
section may file in the court of common pleas of Franklin 350  
county, the county in this state in which the person resides, or 351  
the county in this state in which the person's principal place 352  
of business is located a petition to extend for good cause shown 353  
the date on which the subpoena is to be returned or to modify or 354  
quash for good cause shown that subpoena. The person may file 355  
the petition at any time prior to the date specified for the 356  
return of the subpoena or within twenty days after the service 357  
of the subpoena, whichever is earlier. 358

(6) Any person who is subpoenaed as a witness or to 359  
produce relevant matter pursuant to division (M) (2) of this 360  
section shall comply with the terms of the subpoena unless the 361  
court orders otherwise prior to the date specified for the 362  
return of the subpoena or, if applicable, that date as extended. 363

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 392  
all relevant factors, including the degree of the defendant's 393  
culpability, any history of prior violations of this section by 394  
the defendant, the defendant's ability to pay, the effect of the 395  
court's decision on the defendant's ability to continue to 396  
conduct the defendant's business, and whether or not the 397  
defendant acted in bad faith in failing to comply with this 398  
section. 399

(O) Any consumer credit reporting agency that is found by 400  
the court to have failed to comply with this section is liable 401  
to the attorney general for the attorney general's costs in 402  
conducting an investigation and bringing an action under this 403  
section. 404

(P) The rights and remedies that are provided under this 405  
section are in addition to any other rights or remedies that are 406  
provided by law. 407

Sec. 1349.521. (A)(1) A representative of a protected 408  
consumer may elect to place a security freeze on the protected 409  
consumer's credit report in the manner prescribed in division 410  
(B) of this section by making a request to a consumer credit 411  
reporting agency in writing by certified mail or other 412  
comparable service or by any secured electronic method 413  
authorized by the consumer credit reporting agency. 414

(2) A representative requesting a security freeze on a 415  
protected consumer's credit report shall provide to the credit 416  
reporting agency sufficient proof of authority and, for both the 417  
representative and the protected consumer, sufficient proof of 418  
identity. 419

(B)(1) A consumer credit reporting agency shall place a 420

security freeze on a credit report not later than thirty days 421  
after receiving a request pursuant to division (A) (1) of this 422  
section and the information required pursuant to division (A) (2) 423  
of this section. 424

(2) The consumer credit reporting agency shall send a 425  
written confirmation of the security freeze to the address 426  
associated with the protected consumer within five business days 427  
after placing the security freeze. 428

(C) (1) If a consumer credit reporting agency does not have 429  
a credit report pertaining to a protected consumer when the 430  
consumer reporting agency receives a request under division (A) 431  
(1) of this section related to that protected consumer, the 432  
consumer credit reporting agency shall create a credit record 433  
for the protected consumer and place a security freeze upon the 434  
credit record in accordance with division (B) of this section. 435

(2) A credit record created under division (C) (1) of this 436  
section shall not be used to consider the protected consumer's 437  
credit worthiness, credit standing, credit capacity, character, 438  
general reputation, or personal characteristics. 439

(D) A consumer credit reporting agency shall remove a 440  
security freeze placed on a credit report only in the following 441  
cases: 442

(1) If the credit report was frozen due to a material 443  
misrepresentation of fact by the protected consumer's 444  
representative. If a consumer credit reporting agency intends to 445  
remove a security freeze upon a credit report due to a material 446  
misrepresentation, the consumer credit reporting agency shall 447  
notify the protected consumer's representative in writing at 448  
least five business days prior to removing the security freeze 449



on the credit report. 450

(2) A protected consumer's representative requests that 451  
the security freeze be removed. A protected consumer's 452  
representative shall provide all of the following when 453  
requesting that a security freeze be removed: 454

(a) Sufficient proof of identity for both the protected 455  
consumer and the protected consumer's representative; 456

(b) Sufficient proof of authority to act on the behalf of 457  
the protected consumer. 458

(3) (a) Upon request of a protected consumer who has 459  
reached sixteen years of age. 460

(b) A consumer reporting agency shall develop a procedure 461  
by which a minor protected consumer, upon reaching sixteen years 462  
of age, may remove the security freeze created on the minor's 463  
behalf. The procedure shall, at a minimum, require the minor to 464  
provide sufficient proof of identity and age. 465

(E) A consumer credit reporting agency shall remove a 466  
security freeze within thirty days after receiving a request by 467  
certified mail or other comparable service, secure electronic 468  
method selected by the consumer credit reporting agency, 469  
telephone, or by any other means authorized by the consumer 470  
credit reporting agency for removal from a protected consumer's 471  
representative and of receiving the information specified in 472  
division (D) (2) of this section. 473

(F) A consumer credit reporting agency, when required by 474  
the "Fair Credit Reporting Act," 84 Stat. 1128 (1970), 15 U.S.C. 475  
1681g(c) to provide a summary of rights, or when providing the 476  
written confirmation required under division (B) (2) of this 477  
section, shall provide the following written notice: 478

"The parent or guardian of a minor under the age of 479  
sixteen or the guardian or conservator of an incapacitated or 480  
protected adult, collectively referred to as a "protected 481  
consumer" may seek a security freeze to protect the identity of 482  
a protected consumer and ensure that credit is not 483  
inappropriately granted in the protected consumer's name. In 484  
order to request a security freeze for a protected consumer, the 485  
protected consumer's parent, guardian, or conservator must 486  
present sufficient proof of authority to act on the protected 487  
consumer's behalf. The parent, guardian, or conservator must 488  
also present sufficient proof of identity for the parent, 489  
guardian, or conservator, in addition to proof of identity for 490  
the protected consumer. 491

In order for the representative of a protected consumer to 492  
request the removal of a security freeze of a protected 493  
consumer, the representative must contact the consumer credit 494  
reporting agency and provide all of the following: 495

(a) Sufficient proof of identity for both the protected 496  
consumer and the protected consumer's representative; 497

(b) Sufficient proof of authority to act on the behalf of 498  
the protected consumer. 499

A minor protected consumer, upon reaching sixteen years of 500  
age, may also request that the security freeze be removed. A 501  
minor protected consumer making such a request must provide 502  
proof of identity and age. 503

A consumer credit reporting agency that receives a proper 504  
request by certified mail or other comparable service, secure 505  
electronic method selected by the consumer credit reporting 506  
agency, telephone, or by any other means authorized by the 507

consumer credit reporting agency to remove a security freeze on 508  
a credit report shall comply with the request not later than 509  
thirty days after receiving the request. 510

A security freeze does not apply to circumstances in which 511  
a protected consumer already has an existing account 512  
relationship and a copy of the protected consumer's credit 513  
report is requested by the protected consumer's existing 514  
creditor or its agents or affiliates for certain types of 515  
account review, collection, fraud control, or similar 516  
activities. 517

If a protected consumer is actively seeking credit, it 518  
should be understood that the procedures involved in removing a 519  
security freeze may slow any applications for credit. Plan ahead 520  
and remove a freeze a month before actually applying for new 521  
credit." 522

(G) (1) With regard to adult protected consumers, a 523  
consumer credit reporting agency may release a credit report on 524  
which a security freeze has been placed to the following: 525

(a) A person, or subsidiary, affiliate, or agent of that 526  
person, or an assignee of a financial obligation owing by the 527  
protected consumer, to that person, or a prospective assignee of 528  
a financial obligation owing by the protected consumer, to that 529  
person in conjunction with the proposed purchase of the 530  
financial obligation, with which the protected consumer has or 531  
had prior to assignment an account or contract, including a 532  
demand deposit account, or to whom the protected consumer issued 533  
a negotiable instrument, for the purposes of reviewing the 534  
account or collecting the financial obligation owing for the 535  
account, contract, or negotiable instrument. For purposes of 536  
this paragraph, "reviewing the account" includes activities 537

<u>related to account maintenance, monitoring, credit line</u>	538
<u>increases, and account upgrades and enhancements.</u>	539
<u>(b) A person seeking to use the information contained in</u>	540
<u>the consumer's credit report for the purpose of prescreening</u>	541
<u>pursuant to the "Fair Credit Reporting Act," 84 Stat. 1128</u>	542
<u>(1970), 15 U.S.C. 1681 et seq.;</u>	543
<u>(c) Any person or entity for use in any of the following</u>	544
<u>insurance purposes:</u>	545
<u>(i) Setting or adjusting a rate;</u>	546
<u>(ii) Adjusting a claim;</u>	547
<u>(iii) Underwriting.</u>	548
<u>(2) With regard to all protected consumers, a consumer</u>	549
<u>credit reporting agency may release a credit report on which a</u>	550
<u>security freeze has been placed to the following:</u>	551
<u>(a) Any state or local law enforcement agency, trial</u>	552
<u>court, or private collection agency acting pursuant to a court</u>	553
<u>order, warrant, or subpoena;</u>	554
<u>(b) Any federal, state, or local governmental entity,</u>	555
<u>agency, or instrumentality that is acting within the entity's,</u>	556
<u>agency's, or instrumentality's authority;</u>	557
<u>(c) A state or local child support enforcement agency;</u>	558
<u>(d) A person seeking to use the information contained in</u>	559
<u>the consumer's credit report for the purpose of prescreening</u>	560
<u>pursuant to the "Fair Credit Reporting Act," 84 Stat. 1128</u>	561
<u>(1970), 15 U.S.C. 1681 et seq.;</u>	562
<u>(e) Any person or entity administering a credit file</u>	563
<u>monitoring subscription service to which the consumer has</u>	564

subscribed; 565

(f) Any person or entity providing the protected 566  
consumer's representative with a copy of the protected 567  
consumer's credit report upon the representative's request; 568

(g) Any person or entity for use in any of the following 569  
insurance purposes: 570

(i) Setting or adjusting a rate; 571

(ii) Adjusting a claim; 572

(iii) Underwriting. 573

(h) Any person or entity acting to investigate fraud or 574  
acting to investigate or collect delinquent taxes or unpaid 575  
court orders provided those responsibilities are consistent with 576  
section 1681b of the "Fair Credit Reporting Act," 15 U.S.C. 1681 577  
et seq. 578

(i) An individual seeking to remove a security freeze 579  
under division (D) (3) of this section. 580

(H) (1) Except as provided in division (H) (2) of this 581  
section, a consumer credit reporting agency may charge a 582  
protected consumer's representative the following fees with 583  
regard to protected consumer security freezes: 584

(a) A consumer credit reporting agency may charge a 585  
protected consumer's representative a reasonable fee not to 586  
exceed five dollars for placing a security freeze on that 587  
protected consumer's credit report. If the protected consumer is 588  
a victim of a violation of section 2913.49 of the Revised Code, 589  
the consumer credit reporting agency shall not charge a fee to 590  
place a security freeze on that protected consumer's credit 591  
report, but that protected consumer's representative shall send 592

a copy of the police report related to the violation of section 593  
2913.49 of the Revised Code to the consumer credit reporting 594  
agency. 595

(b) A consumer credit reporting agency may charge a 596  
protected consumer's representative a reasonable fee not to 597  
exceed five dollars for removing a security freeze on that 598  
protected consumer's credit report if the protected consumer's 599  
representative elects to remove the security freeze on the 600  
consumer's credit report. 601

(2) A consumer credit reporting agency shall not charge 602  
any fee to any of the following individuals: 603

(a) A protected consumer representative that represents a 604  
child in foster care; 605

(b) A minor protected consumer, or a minor protected 606  
consumer's representative, for whom a credit report already 607  
exists; 608

(c) An individual seeking to remove a security freeze 609  
under division (D) (3) of this section. 610

(I) If a security freeze is in place, a consumer credit 611  
reporting agency shall not change any of the following official 612  
information in a credit report without sending a written 613  
confirmation of the change to the protected consumer's 614  
representative within thirty days of the change being posted to 615  
the protected consumer's file: name; date of birth; social 616  
security number; or address. Written confirmation is not 617  
required for technical modifications of a consumer's official 618  
information, including name and street abbreviations, complete 619  
spellings, or transposition of numbers or letters. In the case 620  
of an address change, the written confirmation shall be sent to 621

both the new address and to the former address. 622

(J) Divisions (K) to (P) of section 1349.52 of the Revised 623  
Code apply with regard to protected consumer security freezes in 624  
the same manner and with the same effect as security freezes 625  
provided for in section 1349.52 of the Revised Code. 626

**Section 2.** That existing section 1349.52 of the Revised 627  
Code is hereby repealed. 628

**Section 3.** Sections 1349.52 and 1349.521 of the Revised 629  
Code, as amended or enacted by this act, shall take effect six 630  
months after the effective date of this act. 631