

SENATE
STATE OF MINNESOTA
NINETIETH SESSION

S.F. No. 3881

(SENATE AUTHORS: SPARKS)

DATE
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OFFICIAL STATUS
Introduction and first reading
Referred to Commerce and Consumer Protection Finance and Policy

- 1.1 A bill for an act
- 1.2 relating to consumer protection; regulating security freezes on consumer credit
- 1.3 reports; modifying fees; amending Minnesota Statutes 2016, section 13C.016,
- 1.4 subdivision 8.
- 1.5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:
- 1.6 Section 1. Minnesota Statutes 2016, section 13C.016, subdivision 8, is amended to read:
- 1.7 Subd. 8. **Fees.** (a) A consumer reporting agency may charge a fee of \$5 for placing,
- 1.8 temporarily lifting, or removing a security freeze unless:
- 1.9 (1) the consumer is a victim of identity theft as defined in subdivision 1, paragraph (c);
- 1.10 and
- 1.11 (2) the consumer provides the consumer reporting agency with a valid copy of a police
- 1.12 report or a police case number documenting the identity theft; or
- 1.13 (3) the consumer takes the action after being notified pursuant to section 325E.61 by
- 1.14 the consumer reporting agency of a data breach involving information in a consumer report
- 1.15 in which the consumer is the subject.
- 1.16 (b) In addition to the charge, if any, permitted under paragraph (a), a consumer may be
- 1.17 charged no more than \$5 if the consumer fails to retain the original personal identification
- 1.18 number given to the consumer by the agency, but the consumer may not be charged for a
- 1.19 onetime reissue of the same or a new personal identification number. The consumer may
- 1.20 be charged no more than \$5 for subsequent instances of loss of the personal identification
- 1.21 number.

2.1 (c) A consumer who makes a written request by mail may pay any fee charged pursuant
2.2 to this subdivision by check, money order, or credit card. A consumer who makes a request
2.3 by telephone or other electronic media may pay any fee charged pursuant to this subdivision
2.4 by credit card.

2.5 **EFFECTIVE DATE.** This section is effective the day following final enactment and
2.6 applies to security freezes placed, temporarily lifted, or removed on or after that date.