H. R. 4172

To amend the Fair Credit Reporting Act to clarify Federal law with respect to reporting certain positive consumer credit information to consumer reporting agencies, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

DECEMBER 3, 2015

Mr. ELLISON (for himself, Mr. FITZPATRICK, Mr. AL GREEN of Texas, Mr. RENACCI, Ms. MOORE, Mr. DUFFY, Mr. HIMES, Mr. MULVANEY, Mr. CARNEY, Mr. PITTENGER, Mr. HINOJOSA, Mr. JONES, Mr. GRIJALVA, Mr. SCHWEIKERT, Mr. RUSH, Mrs. LOVE, Mr. McNERNEY, Mr. STIVERS, and Mr. BLUMENAUER) introduced the following bill; which was referred to the Committee on Financial Services

A BILL

To amend the Fair Credit Reporting Act to clarify Federal law with respect to reporting certain positive consumer credit information to consumer reporting agencies, and for other purposes.

1 Be it enacted by the Senate and House of Representa-
2 tives of the United States of America in Congress assembled,
3 SECTION 1. SHORT TITLE.
4 This Act may be cited as the “The Credit Access and
5 Inclusion Act of 2015”.

SEC. 2. POSITIVE CREDIT REPORTING PERMITTED.

(a) IN GENERAL.—Section 623 of the Fair Credit Reporting Act (15 U.S.C. 1681s–2) is amended by adding at the end the following new subsection:

“(f) Full-File Credit Reporting.—

“(1) IN GENERAL.—Subject to the limitation in paragraph (2) and notwithstanding any other provision of law, a person or the Secretary of Housing and Urban Development may furnish to a consumer reporting agency information relating to the performance of a consumer in making payments—

“(A) under a lease agreement with respect to a dwelling, including such a lease in which the Department of Housing and Urban Development provides subsidized payments for occupancy in a dwelling; or

“(B) pursuant to a contract for a utility or telecommunications service.

“(2) LIMITATION.—Information about a consumer’s usage of any utility services provided by a utility or telecommunication firm may be furnished to a consumer reporting agency only to the extent that such information relates to payment by the consumer for the services of such utility or telecommunication service or other terms of the provision of the services to the consumer, including any
deposit, discount, or conditions for interruption or
termination of the services.

“(3) PAYMENT PLAN.—An energy utility firm
may not report payment information to a consumer
reporting agency with respect to an outstanding bal-
ance of a consumer as late if—

“(A) the energy utility firm and the con-
sumer have entered into a payment plan (in-
cluding a deferred payment agreement, an ar-
rearage management program, or a debt for-
giveness program) with respect to such out-
standing balance; and

“(B) the consumer is meeting the obliga-
tions of the payment plan, as determined by the
energy utility firm.

“(4) DEFINITIONS.—In this subsection, the fol-
lowing definitions shall apply:

“(A) ENERGY UTILITY FIRM.—The term
‘energy utility firm’ means an entity that pro-
vides gas or electric utility services to the pub-
lic.

“(B) UTILITY OR TELECOMMUNICATION
FIRM.—The term ‘utility or telecommunication
firm’ means an entity that provides utility serv-
ices to the public through pipe, wire, landline,
wireless, cable, or other connected facilities, or radio, electronic, or similar transmission (including the extension of such facilities).”.

(b) LIMITATION ON LIABILITY.—Section 623(c) of the Consumer Credit Protection Act (15 U.S.C. 1681s–2(c)) is amended—

(1) in paragraph (2), by striking “or” at the end;

(2) by redesignating paragraph (3) as paragraph (4); and

(3) by inserting after paragraph (2) the following new paragraph:

“(3) subsection (f) of this section, including any regulations issued thereunder; or”.

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