

114TH CONGRESS
1ST SESSION

S. 1773

To amend title 11, United States Code, to require creditors to inform consumer reporting agencies that certain debts have been discharged in bankruptcy cases.

IN THE SENATE OF THE UNITED STATES

JULY 15, 2015

Mr. BROWN (for himself, Mr. MERKLEY, Mr. BLUMENTHAL, Mr. DURBIN, and Mr. FRANKEN) introduced the following bill; which was read twice and referred to the Committee on the Judiciary

A BILL

To amend title 11, United States Code, to require creditors to inform consumer reporting agencies that certain debts have been discharged in bankruptcy cases.

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 “Consumer Reporting
5 Fairness Act of 2015”.

6 **SEC. 2. DISCHARGE OF DEBT IN BANKRUPTCY.**

7 Section 525 of title 11, United States Code, is
8 amended by adding at the end the following:

1 “(d) If a creditor has provided or furnished to a con-
2 sumer reporting agency, as defined in section 603 of the
3 Fair Credit Reporting Act (15 U.S.C. 1681a), any item
4 of information pertaining to an account based on a debt
5 discharged in a case under this title, the creditor shall in-
6 form the consumer reporting agency that the debt has
7 been discharged in bankruptcy and has a zero balance.

8 “(e) An individual injured by any willful violation of
9 this section—

10 “(1) shall recover actual damages, including
11 costs and attorneys’ fees; and

12 “(2) in appropriate circumstances, may recover
13 punitive damages.

14 “(f) Nothing in this section shall be construed to pro-
15 hibit the reporting of payments on a mortgage loan,
16 whether or not the debtor has reaffirmed that loan.”.

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