112TH CONGRESS
2D SESSION

H. R. 6363

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

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 10, 2012

Mr. RENACCI (for himself, Mr. ELLISON, Mr. HINOJOSA, Mr. JONES, and Mr. CAPUANO) introduced the following bill; which was referred to the Committee on Financial Services

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A BILL

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

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "The Credit Access and Inclusion Act".

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) RULE OF CONSTRUCTION.—Nothing in this Act, or any regulation or rule established pursuant to this Act, shall be construed as to prohibit a person from furnishing the following information relating to a consumer to a consumer reporting agency:

"(A) IDENTIFYING INFORMATION.—A consumer's full name, telephone number, mother's maiden name, address, zip code, date of birth, any generational designation, social security number, or any other similar consumer identifiers or combination thereof.

"(B) TRANSACTIONS OR EXPERIENCES.—Information solely as to transactions or experiences between the consumer and the person furnishing the information.

"(C) PUBLIC INFORMATION.—Public record information.

"(D) PERFORMANCE OF CONSUMER.—The performance of the consumer's obligations under a real property lease, a subscription agreement, or , subject to the limitations under paragraph (2), an account of a public utility service.

"(2) LIMITATIONS.—Information about a consumer's usage of any public utility service 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 public utility or other terms of the provision of services to the consumer, including any deposit, discount, or the conditions for interruption or termination of the services.

"(3) PUBLIC UTILITY SERVICE.—For purposes of this subsection, the term 'public utility service' means an entity that provides utility services to the public through pipe, wire, or other connected facilities, or radio, electronic, or similar transmission (including the extension of such facilities), and the charges for service, delayed payment, and any discount for prompt payment are filed with or regulated by a government entity.".

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