

113TH CONGRESS
1ST SESSION

H. R. 2538

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 or telecommunications companies, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 27, 2013

Mr. FITZPATRICK (for himself, Mr. ELLISON, Mr. HINOJOSA, Mr. CAPUANO, Mr. AL GREEN of Texas, Mr. JONES, Mr. RENACCI, and Mr. DUFFY) 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 positive consumer credit information to consumer reporting agencies by public utility or telecommunications companies, 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”.

1 **SEC. 2. POSITIVE CREDIT REPORTING PERMITTED.**

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

5 “(f) FULL-FILE CREDIT REPORTING.—

6 “(1) RULE OF CONSTRUCTION.—Nothing in
7 this Act, or any regulation or rule established pursu-
8 ant to this Act, shall be construed as to prohibit a
9 person from furnishing the following information re-
10 lating to a consumer to a consumer reporting agen-
11 cy:

12 “(A) IDENTIFYING INFORMATION.—A con-
13 sumer’s full name, telephone number, mother’s
14 maiden name, address, zip code, date of birth,
15 any generational designation, social security
16 number, or any other similar consumer identi-
17 fiers or combination thereof.

18 “(B) TRANSACTIONS OR EXPERIENCES.—
19 Information solely as to transactions or experi-
20 ences between the consumer and the person fur-
21 nishing the information.

22 “(C) PUBLIC INFORMATION.—Public
23 record information.

24 “(D) PERFORMANCE OF CONSUMER.—The
25 performance of a consumer making payments
26 under a real property lease or pursuant to a

1 contract for a utility or telecommunication serv-
2 ice.

3 “(2) LIMITATIONS.—Information about a con-
4 sumer’s usage of any public utility service may be
5 furnished to a consumer reporting agency only to
6 the extent that such information relates to payment
7 by the consumer for the services of such public util-
8 ity or other terms of the provision of services to the
9 consumer, including any deposit, discount, or the
10 conditions for interruption or termination of the
11 services.

12 “(3) UTILITY OR TELECOMMUNICATION SERV-
13 ICE.—For purposes of this subsection, the term
14 ‘utility or telecommunication service’ means an enti-
15 ty that provides utility services to the public through
16 pipe, wire, landline, wireless, cable, or other con-
17 nected facilities, or radio, electronic, or similar
18 transmission (including the extension of such facili-
19 ties).”.

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