

114TH CONGRESS
1ST SESSION

S. 2355

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 SENATE OF THE UNITED STATES

DECEMBER 3, 2015

Mr. KIRK (for himself and Mr. MANCHIN) introduced the following bill; which was read twice and referred to the Committee on Banking, Housing, and Urban Affairs

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 “Credit Access and In-
5 clusion Act of 2015”.

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

7 Section 623 of the Fair Credit Reporting Act (15
8 U.S.C. 1681s–2) is amended—

(1) in subsection (c)(1), by striking “subsection (a)” and inserting “subsection (a) or (f)”; and

(2) by adding at the end the following:

“(f) FULL-FILE CREDIT REPORTING.—

“(1) DEFINITIONS.—In this subsection:

“(A) ENERGY UTILITY FIRM.—The term ‘energy utility firm’ means an entity that provides gas or electric utility services to the public.

“(B) UTILITY OR TELECOMMUNICATION FIRM.—The term ‘utility or telecommunication firm’ means an entity that provides utility services 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).

“(2) FURNISHING OF INFORMATION.—Subject to the limitation in paragraph (3) 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 a lease in which the De-

partment 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.

“(3) LIMITATION.—Information about the
usage of a consumer of any utility services provided
by a utility or telecommunication firm may be fur-
nished to a consumer reporting agency only to the
extent that the information relates to payment by
the consumer for the services of the utility or tele-
communication service or other terms of the provi-
sion of the services to the consumer, including any
deposit, discount, or conditions for interruption or
termination of the services.

“(4) 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-
givenness program) with respect to such out-
standing balance; and

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

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