

House Bill 656 (COMMITTEE SUBSTITUTE)

By: Representatives Chambers of the 53rd, Ehrhart of the 28th, Oliver of the 56th, Post 2, Jamieson of the 22nd, Moraitakis of the 42nd, Post 4, and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Code Section 10-1-393 of the Official Code of Georgia Annotated, relating to
2 unfair or deceptive practices in consumer transactions, so as to require that consumer
3 reporting agencies notify consumers when a person responds by mail to an unsolicited
4 application for credit and provides an address that is different from the address to which such
5 solicitation was mailed; to provide for the manner of notification; to provide for the payment
6 of the cost of such notifications; to provide an exception; to provide a definition; to provide
7 for related matters; to repeal conflicting laws; and for other purposes.

8 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

9 style="text-align:center">**SECTION 1.**

10 Code Section 10-1-393 of the Official Code of Georgia Annotated, relating to unfair or
11 deceptive practices in consumer transactions, is amended by striking paragraph (29) of
12 subsection (b) and inserting in lieu thereof a new paragraph (29) to read as follows:

13 "(29) With respect to any consumer reporting agency:

14 (A) Any person who knowingly and willfully obtains information relative to a
15 consumer from a consumer reporting agency under false pretenses shall be guilty of a
16 misdemeanor;

17 (B) Any officer or employee of a consumer reporting agency who knowingly and
18 willfully provides information concerning an individual from the agency's files to a
19 person not authorized to receive that information shall be guilty of a misdemeanor; ~~and~~

20 (C) Each consumer reporting agency which compiles and maintains files on consumers
21 on a nation-wide basis shall furnish to any consumer who has provided appropriate
22 verification of his or her identity two complete consumer reports per calendar year,
23 upon request and without charge; and

24 (D)(i) Each credit grantor must notify, within 30 days of such credit inquiry, all
25 consumers who respond by mail to unsolicited applications of credit when such
26 application has an address that is different than the address to which such solicitation

1 has been mailed. Notification shall be mailed to the original address only and not to
2 the new address. The cost of such notification shall be borne by the credit grantor and
3 may be charged to the borrower in the credit application fee only if notification is
4 provided.

5 (ii) Notification shall not be required if the consumer has a current business
6 relationship with the credit grantor, provided that the address change has been verified
7 by the credit grantor. As used in this subparagraph, the term 'business relationship'
8 means information contained in the files maintained by the credit grantor on the
9 consumer that shows the consumer has an existing or former account with the credit
10 grantor:".

11 **SECTION 2.**

12 All laws and parts of laws in conflict with this Act are repealed.