STATE OF NEW YORK

8679

2017-2018 Regular Sessions

IN ASSEMBLY

September 25, 2017

Introduced by M. of A. ROSENTHAL -- read once and referred to the Committee on Consumer Affairs and Protection

AN ACT to amend the general business law, in relation to requiring consumer reporting agencies to provide a consumer's information to such consumer at no cost

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Subdivision (a) of section 380-d of the general business law, as added by chapter 867 of the laws of 1977, is amended to read as follows:

(a) Every consumer reporting agency shall **at any time**, upon request and proper identification of any consumer, **and at no cost to the consumer,** clearly and accurately disclose to the consumer:

(1) all information in its files at the time of the request concerning such consumer; and

(2) the sources of the information; except that the sources of information acquired solely for use in preparing an investigative consumer report and actually used for no other purpose need not be disclosed; provided, however, that in the event an action is brought under section three hundred eighty-n of this article, such sources shall be available to the plaintiff under appropriate discovery procedures in the court in which the action is brought; and

(3) the recipients of any consumer report on the consumer which it has furnished;

(i) for employment purposes within the two-year period preceding the request, and

(ii) for any other purpose within the six month period preceding the request.

§ 2. This act shall take effect immediately.

EXPLANATION--Matter in *italics* (underscored) is new; matter in brackets [-] is old law to be omitted.

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