

# STATE OF NEW YORK

5400--A

2019-2020 Regular Sessions

## IN ASSEMBLY

February 11, 2019

Introduced by M. of A. DenDEKKER -- read once and referred to the Committee on Consumer Affairs and Protection -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the general business law, in relation to adverse information in credit reports of certain furloughed federal government employees

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

1 Section 1. Section 380-v of the general business law, as relettered by  
2 chapter 441 of the laws of 2014, is renumbered section 380-w and a new  
3 section 380-v is added to read as follows:

4 § 380-v. Furloughed federal employees. No consumer reporting agency  
5 shall report or maintain in the consumer report or file of a consumer  
6 any new adverse information on a consumer who is a federal employee  
7 impacted by a federal government furlough as set forth in this section,  
8 which was obtained by the consumer reporting agency during such furlough  
9 period. A credit reporting agency may report adverse information on a  
10 consumer beginning ninety days after the end of a furlough period  
11 provided that no such adverse information shall have been derived or  
12 obtained during the furlough period. The provisions of this section  
13 shall not apply to adverse information developed or reported prior to a  
14 federal government furlough. The provisions of this section shall apply  
15 to New York residents employed by the federal government who are  
16 furloughed or who have been designated non-pay federal employees and who  
17 have not received their regular salary or wages due to a federal govern-  
18 ment furlough which lasts at least one pay period from the start of such  
19 furlough. A consumer shall have the burden of establishing that they are  
20 a New York state resident, a federal employee, and that they have been  
21 impacted by a federal government furlough. Proof of New York state resi-  
22 dency may be made by a utility bill or driver's license. A pay stub  
23 issued within thirty days shall be proof of federal employment.

24 § 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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