

STATE OF NEW YORK

2762--A

2019-2020 Regular Sessions

IN SENATE

January 29, 2019

Introduced by Sen. COMRIE -- read twice and ordered printed, and when printed to be committed to the Committee on Consumer Protection -- recommitted to the Committee on Consumer Protection in accordance with Senate Rule 6, sec. 8 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

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:

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

4 (a) Every consumer reporting agency shall at any time but no more than
5 four times within any twelve month period, upon request and proper iden-
6 tification of any consumer, and at no cost to the consumer, clearly and
7 accurately disclose to the consumer:

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

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

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

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

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

23 § 2. This act shall take effect immediately.

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

LBD04779-02-0