§ 380-j. Prohibited information. (a) No consumer reporting agency shall report or maintain in the file on a consumer, information:

(1) relative to an arrest or a criminal charge unless there has been a criminal conviction for such offense, or unless such charges are still pending,

(2) relative to a consumer's race, religion, color, ancestry or ethnic origin,

(3) relative to a medical debt as defined in this statute; or

(4) which it has reason to know is inaccurate.

(b) Notwithstanding the provisions of paragraph one of subdivision (a) of this section, a consumer reporting agency may collect, evaluate, prepare, use or report information relative to a detention of an individual by a retail mercantile establishment, provided that:

(1) the individual has executed an uncoerced admission of wrongdoing;

(2) with respect to a detention made on or after the effective date of this article the retail mercantile establishment has, prior to transmitting to a consumer reporting agency information concerning such detention, delivered to the individual a written notice containing:

(i) a statement that the information may be furnished to a consumer reporting agency, and that such information may be reported to a retail mercantile establishment for employment purposes,

(ii) a statement that the individual may request disclosure by the consumer reporting agency of information in the agency's file on such individual, and that the completeness or accuracy of such information may be disputed by the individual, and

(iii) the name and address of such consumer reporting agency; and

(3) the user of such information certifies to the consumer reporting agency that such information will be used only in connection with employment purposes.

(c) In the event that a criminal charge is filed subsequent to the detention described in subdivision (b) of this section, the disposition of such charge shall be recorded by the consumer reporting agency in the file on such individual upon the request of such individual and upon his furnishing proof of such disposition.

(d) No consumer reporting agency shall issue a consumer report which lists a person as having been denied credit if the sole reason for such denial is lack of sufficient information to grant credit, unless the report states that the denial was for such reason.

(e) Consumer reporting agencies shall maintain reasonable procedures designed to assure maximum possible accuracy of the information concerning the individual about whom the report relates.

(f) (1) Except as authorized under paragraph two of this subdivision, no consumer reporting agency may make any consumer report containing any of the following items of information.

(i) bankruptcies which, from date of adjudication of the most recent bankruptcy, antedate the report by more than fourteen years;

(ii) judgements which, from date of entry, antedate the report by more than seven years or until the governing statute of limitations has expired, whichever is the longer period; or judgments which, from date of entry, having been satisfied within a five year period from such entry date, shall be removed from the report five years after such entry date;

(iii) paid tax liens which, from date of payment, antedate the report by more than seven years or, a paid, satisfied or vacated tax lien involving a purchaser, transferee or assignee in a bulk sale transaction who has been deemed liable by the state tax commission for sales taxes due from a seller, transferrer or assignor under subdivision (c) of section eleven hundred forty-one of the tax law, where the receipt by a credit reporting agency from such purchaser, transferee or assignee of a notice, or true copy thereof, from the state tax commission to such purchaser, transferee or assignee that his liability has been wholly paid or satisfied or no longer exists, antedates the report by more than thirty days;

(iv) accounts placed for collection or charged to profit and loss which antedate the report by more than seven years; or accounts placed for collection or charged to profit and loss, which have been paid and which antedate the report by more than five years;

(v) records of conviction of crime which, from date of disposition, release, or parole, antedate the report by more than seven years;

(vi) information regarding drug or alcoholic addiction where the last reported incident relating to such addiction antedates the consumer report or investigative consumer report by more than seven years;

(vii) information relating to past confinement in a mental institution where the date of last confinement antedates the report by more than

seven years;
  * (viii) information relating to a medical debt regardless of the date it was incurred; or
  * NB Effective until May 26, 2027
  * (viii) information relating to a medical debt regardless of the date it was incurred;
  * NB Effective May 26, 2027 until July 1, 2032
  * (viii) information relating to a medical debt regardless of the date it was incurred; or
  * NB Effective July 1, 2032
  * (ix) any other adverse information which antedates the report by more than seven years.
  * NB Effective until May 26, 2027
  * (ix) late payments of any fees or other costs associated with or related to the installation, maintenance including repair or replacement, and removal of an intelligent speed assistance device pursuant to a local law or ordinance adopted in accordance with article thirty-nine of the vehicle and traffic law; or
  * NB Effective May 26, 2027 until July 1, 2032
  * (ix) any other adverse information which antedates the report by more than seven years.
  * NB Effective July 1, 2032
  * (x) any other adverse information which antedates the report by more than seven years.
  * NB Effective May 26, 2027
  * NB Repealed July 1, 2032

(2) The provisions of this subdivision shall not apply to:

(i) a credit transaction involving, or which may reasonably be expected to involve, a principal amount of fifty thousand dollars or more;

(ii) the underwriting of life insurance involving, or which may reasonably be expected to involve, a face amount of fifty thousand dollars or more; or

(iii) the employment of any individual at an annual salary which equals, or which may reasonably be expected to equal twenty-five thousand dollars, or more.

(g) No consumer reporting agency shall collect, evaluate, report, or maintain in the file on a consumer any results, opinions, analyses, transcripts or information of any nature concerning, related to, or derived from a polygraph examination, an examination by any device or instrument of any type used to test or question individuals for the purpose of detecting deception, verifying truthfulness, or measuring deceptive tendencies, or the questioning or interviewing of an individual by the examiner prior to or after such an examination.

(h) No consumer reporting agency shall collect, evaluate, report, or maintain in the file on a consumer the credit worthiness, credit standing or credit capacity of members of the consumer's social network for purposes of determining the credit worthiness of the consumer; the average credit worthiness, credit standing or credit capacity of members of the consumer's social network; or any group score that is not the consumer's own credit worthiness, credit standing or credit capacity. The provisions of this subdivision shall be enforced concurrently by the superintendent of financial services and the director of the division of consumer protection and each shall utilize their consumer complaint and assistance hotlines to document complaints by consumers who believe that group credit ratings of their social media network are being used to deny them credit.