

HOUSE BILL NO. 218

INTRODUCED BY B. HAMLETT

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A BILL FOR AN ACT ENTITLED: "AN ACT REVISING LAWS TO REQUIRE A CONSUMER REPORTING AGENCY TO REINVESTIGATE AND RECORD CHANGES WITHIN 30 DAYS OF A DISPUTED CONSUMER REPORT; AND AMENDING SECTION 31-3-124, MCA."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 31-3-124, MCA, is amended to read:

"31-3-124. Procedure in case of disputed accuracy. (1) If the completeness or accuracy of any item of information contained in ~~this~~ a consumer's file is disputed by a consumer and the dispute is directly conveyed to the consumer reporting agency by the consumer, the consumer reporting agency shall within ~~a reasonable period of time~~ 30 days reinvestigate and record the current status of that information unless it has reasonable grounds to believe that the dispute by the consumer is frivolous or irrelevant. If after ~~such~~ the reinvestigation ~~such~~ any information is found to be inaccurate or can no longer be verified, the consumer reporting agency shall promptly delete the information and notify all users, of whom the consumer reporting agency has records, of the information's deletion. The users shall also delete the information.

(2) If the reinvestigation does not resolve the dispute, the consumer may file a brief statement setting forth the nature of the dispute.

(3) Whenever a statement of a dispute is filed, unless there are reasonable grounds to believe that it is frivolous or irrelevant, the consumer reporting agency shall, in any subsequent consumer report containing the information in question, clearly note that it is disputed by the consumer and provide either the consumer's statement or a clear and accurate codification or summary ~~thereof~~ of the statement. The consumer reporting agency shall notify the consumer of all users, of whom it has records, who have the disputed information."

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