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RWH/CL

P.L. 2019, CHAPTER 183, *approved July 19, 2019*
Senate, No. 3452 (*Second Reprint*)

1 AN ACT concerning consumer reporting agencies and amending
2 P.L.1997, c.172.

3
4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:

6
7 1. Section 7 of P.L.1997, c.172 (C.56:11-34) is amended to
8 read as follows:

9 7. Every consumer reporting agency shall, upon request and
10 proper identification of any consumer, clearly and accurately
11 disclose to the consumer:

12 a. All information in the consumer's file at the time of the
13 request.

14 b. The sources of the information; except that the sources of
15 information acquired solely for use in preparing an investigative
16 consumer report and actually used for no other purpose need not be
17 disclosed: provided, that if an action is brought under this act or the
18 federal "Fair Credit Reporting Act," such sources shall be available
19 to the plaintiff under appropriate discovery procedures in the court
20 in which the action is brought.

21 c. (1) The identification of each person, including each end-
22 user identified under subsections d. and e. of section 5 of this act,
23 who procured a consumer report:

24 (a) for employment purposes, during the two-year period
25 preceding the date on which the request is made; or

26 (b) for any other purpose, during the one-year period preceding
27 the date on which the request is made.

28 (2) An identification of a person under paragraph (1) shall
29 include:

30 (a) the name of the person, or, if applicable, the trade name
31 written in full under which the person conducts business; and

32 (b) upon request of the consumer, the address and telephone
33 number of the person.

34 d. The dates, original payees, and amounts of any checks upon
35 which is based any adverse characterization of the consumer,
36 included in the file at the time of the disclosure.

37 e. A record of all inquiries received by the agency during the
38 one-year period preceding the request that identified the consumer
39 in connection with a credit or insurance transaction that was not
40 initiated by the consumer.

EXPLANATION – Matter enclosed in bold-faced brackets **[thus]** in the above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter

Matter enclosed in superscript numerals has been adopted as follows:

¹Senate SCM committee amendments adopted March 4, 2019.

²Senate STR committee amendments adopted March 18, 2019.

1 ²【The】 A reporting agency that compiles and maintains files on
2 consumers on a nationwide basis shall make the² information
3 subject to disclosure pursuant to this section ²【shall be made】²
4 available to a consumer upon the consumer’s request in Spanish or
5 any other language that the Director of the Division of Consumer
6 Affairs determines is the first language of a significant number of
7 consumers in the State. This determination shall be, at the
8 discretion of the director, based on the numerical percentages of all
9 consumers in the State for whom English or Spanish is not a first
10 language or in a manner consistent with any regulations
11 promulgated by the director for this purpose. ¹The director shall
12 require that the information is made available in at least the 10
13 languages other than English and Spanish that are most frequently
14 spoken as a first language by consumers in this State.

15 A ²【consumer】² reporting agency ²that compiles and maintains
16 files on consumers on a nationwide basis² shall provide notice, in
17 any language as determined by the director, on its Internet website
18 in a clear and conspicuous location, of the availability of
19 information subject to disclosure pursuant to this section in
20 languages other than English.¹

21 ²As used in this section, “reporting agency that compiles and
22 maintains files on consumers on a nationwide basis” means a
23 consumer reporting agency that regularly engages in the practice of
24 assembling or evaluating, and maintaining, for the purpose of
25 furnishing consumer reports to third parties bearing on a consumer’s
26 credit worthiness, credit standing, or credit capacity, each of the
27 following regarding consumers residing nationwide:

- 28 (1) Public record information; and
29 (2) Credit account information from persons who furnish that
30 information regularly and in the ordinary course of business.²
31 (cf: P.L.1997, c.172, s.7)

32
33 2. This act shall take effect on the 90th day next following the
34 date of enactment.

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39 Requires certain consumer reporting agencies to make consumer
40 reports available to consumers in Spanish and certain other
41 languages.

SENATE, No. 3452

STATE OF NEW JERSEY
218th LEGISLATURE

INTRODUCED FEBRUARY 7, 2019

Sponsored by:

Senator M. TERESA RUIZ

District 29 (Essex)

Senator NELLIE POU

District 35 (Bergen and Passaic)

SYNOPSIS

Requires consumer reporting agencies to make credit reports available to consumers in Spanish and certain other languages.

CURRENT VERSION OF TEXT

As introduced.



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2 P.L.1997, c.172.

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22 user identified under subsections d. and e. of section 5 of this act,
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35 which is based any adverse characterization of the consumer,
36 included in the file at the time of the disclosure.

37 e. A record of all inquiries received by the agency during the
38 one-year period preceding the request that identified the consumer
39 in connection with a credit or insurance transaction that was not
40 initiated by the consumer.

41 The information subject to disclosure pursuant to this section
42 shall be made available to a consumer upon the consumer's request
43 in Spanish or any other language that the Director of the Division of
44 Consumer Affairs determines is the first language of a significant
45 number of consumers in the State. This determination shall be, at

EXPLANATION – Matter enclosed in bold-faced brackets **[thus]** in the above bill is not enacted and is intended to be omitted in the law.

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1 the discretion of the director, based on the numerical percentages of
2 all consumers in the State for whom English or Spanish is not a first
3 language or in a manner consistent with any regulations
4 promulgated by the director for this purpose.
5 (cf: P.L.1997, c.172, s.7)

6
7 2. This act shall take effect on the 90th day next following the
8 date of enactment.

9
10

11 STATEMENT

12

13 This bill requires consumer reporting agencies to make credit
14 reports available to consumers in Spanish and certain other
15 languages.

16 Specifically, the bill requires that the information subject to
17 disclosure pursuant to the current credit reporting law to be made
18 available to consumers upon request in Spanish and any other
19 language that the Director of the Division of Consumer Affairs
20 determines is the first language of a significant number of
21 consumers in the State. This determination is to be, at the
22 discretion of the director, based on the numerical percentages of all
23 consumers in the State for whom English or Spanish is not a first
24 language or in a manner consistent with any regulations
25 promulgated by the director for this purpose.

SENATE COMMERCE COMMITTEE

STATEMENT TO

SENATE, No. 3452

with committee amendments

STATE OF NEW JERSEY

DATED: MARCH 4, 2019

The Senate Commerce Committee reports favorably and with committee amendments Senate Bill No. 3452.

As amended, this bill requires consumer reporting agencies to make credit reports available to consumers in Spanish and certain other languages.

Specifically, the bill requires that the information subject to disclosure pursuant to the current credit reporting law be made available to consumers upon request in Spanish and any other language that the Director of the Division of Consumer Affairs determines is the first language of a significant number of consumers in the State. This determination is to be, at the discretion of the director, based on the numerical percentages of all consumers in the State for whom English or Spanish is not a first language or in a manner consistent with any regulations promulgated by the director for this purpose.

The bill provides that the Director of the Division of Consumer Affairs shall require that consumer reporting information is made available in at least the 10 languages other than English and Spanish that are most frequently spoken as a first language by consumers in this State.

The bill also requires consumer reporting agencies to provide notice, in any language as determined by the director, on their Internet website in a clear and conspicuous location, of the availability of consumer reporting information in languages other than English.

COMMITTEE AMENDMENTS:

The committee amended the bill to:

- 1) Provide that the Director of the Division of Consumer Affairs shall require that consumer reporting information is made available in at least the 10 languages other than English and Spanish that are most frequently spoken as a first language by consumers in this State; and
- 2) Require consumer reporting agencies to provide notice, in any language as determined by the director, on their Internet website in a clear and conspicuous location, of the availability of consumer reporting information in languages other than English.

SENATE TRANSPORTATION COMMITTEE

STATEMENT TO

[First Reprint]

SENATE, No. 3452

with committee amendments

STATE OF NEW JERSEY

DATED: MARCH 18, 2019

The Senate Transportation Committee reports favorably and with committee amendments Senate Bill No. 3452 (1R).

As amended and reported, this bill requires a reporting agency that compiles and maintains files on consumers on a nationwide basis to make credit reports available to consumers in Spanish and certain other languages.

Specifically, the bill requires that a reporting agency that compiles and maintains files on consumers on a nationwide basis to make the information subject to disclosure pursuant to the current credit reporting law be made available to consumers upon request in Spanish and any other language that the Director of the Division of Consumer Affairs (director) determines is the first language of a significant number of consumers in the State. This determination is to be, at the discretion of the director, based on the numerical percentages of all consumers in the State for whom English and Spanish is not a first language or in a manner consistent with any regulations promulgated by the director for this purpose.

The bill provides that the director is to require that consumer reporting information is made available in at least the 10 languages other than English and Spanish that are most frequently spoken as a first language by consumers in this State.

The bill requires a reporting agency that compiles and maintains files on consumers on a nationwide basis to provide notice, in any language as determined by the director, on its Internet website in a clear and conspicuous location, of the availability of consumer reporting information in languages other than English.

The committee amended the bill to specify that only a reporting agency that compiles and maintains files on consumers on a nationwide basis is required to make the information subject to disclosure available in Spanish and any other language the director determines is the first language of a significant number of consumers in the State. The amendments also specify that only a reporting agency that compiles and maintains files on consumers on a nationwide basis is required to provide notice on its Internet website of the availability

of information subject to disclosure in languages other than English. The committee amended the bill to define the term “reporting agency that compiles and maintains files on consumers on a nationwide basis” and to change the synopsis of the bill.

ASSEMBLY, No. 5055

STATE OF NEW JERSEY 218th LEGISLATURE

INTRODUCED FEBRUARY 14, 2019

Sponsored by:

Assemblywoman YVONNE LOPEZ

District 19 (Middlesex)

Assemblyman JAMEL C. HOLLEY

District 20 (Union)

Assemblyman GARY S. SCHAER

District 36 (Bergen and Passaic)

SYNOPSIS

Requires consumer reporting agencies to make credit reports available to consumers in Spanish and certain other languages.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 3/19/2019)

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2 all consumers in the State for whom English or Spanish is not a first
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4 promulgated by the director for this purpose.

5 (cf: P.L.1997, c.172, s.7)

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22 discretion of the director, based on the numerical percentages of all
23 consumers in the State for whom English or Spanish is not a first
24 language or in a manner consistent with any regulations
25 promulgated by the director for this purpose.

ASSEMBLY FINANCIAL INSTITUTIONS AND INSURANCE
COMMITTEE

STATEMENT TO
ASSEMBLY, No. 5055

with committee amendments

STATE OF NEW JERSEY

DATED: MARCH 18, 2019

The Assembly Financial Institutions and Insurance Committee reports favorably Assembly Bill No. 5055 with committee amendments.

This bill, as amended, requires certain consumer reporting agencies to make credit reports available to consumers in Spanish and certain other languages.

Specifically, the bill requires that the information subject to disclosure pursuant to the current credit reporting law to be made available to consumers upon request in Spanish and any other language that the Director of the Division of Consumer Affairs (director) determines is the first language of a significant number of consumers in the State. This determination is to be, at the discretion of the director, based on the numerical percentages of all consumers in the State for whom English or Spanish is not a first language or in a manner consistent with any regulations promulgated by the director for this purpose.

The bill provides that the director shall require that consumer reporting information is made available in at least the 10 languages other than English and Spanish that are most frequently spoken as a first language by consumers in this State.

The bill also requires a consumer reporting agency that compiles and maintains files on consumers on a nationwide basis to provide notice, in any language as determined by the director, on their Internet website in a clear and conspicuous location, of the availability of consumer reporting information in languages other than English.

COMMITTEE AMENDMENTS:

The committee amended the bill to:

- 1) Provide that the Director of the Division of Consumer Affairs shall require that consumer reporting information is made available in at least the 10 languages other than English and Spanish that are most frequently spoken as a first language by consumers in this State;

- 2) Require consumer reporting agencies to provide notice, in any language as determined by the director, on their Internet website in a clear and conspicuous location, of the availability of consumer reporting information in languages other than English; and
- 3) Define “reporting agency that compiles and maintains files on consumers on a nationwide basis” to mean a consumer reporting agency that regularly engages in the practice of assembling or evaluating, and maintaining, for the purpose of furnishing consumer reports to third parties bearing on a consumer’s credit worthiness, credit standing or credit capacity, each of the following regarding consumers residing nationwide:
 - (1) Public record information; and
 - (2) Credit account information from persons who furnish that information regularly and in the ordinary course of business.

Governor Murphy Takes Action on Legislation

07/19/2019

TRENTON – Today, Governor Phil Murphy signed the following bills and resolutions into law:

AJR26 (Downey, Houghtaling, Quijano, Mosquera, Vainieri Huttle, Benson, Jasey, McKnight/Pou, Codey) - Designates September of each year as "Youth Suicide Prevention Awareness Month" in New Jersey.

AJR87 (Murphy, Mosquera, Pinkin/Singleton, Addiego) - Designates January 11 of each year as "Alice Paul Day" in New Jersey.

A769 (Caputo, Giblin, Vainieri Huttle/A.R. Bucco, Ruiz) - Requires school districts to incorporate age-appropriate sexual abuse and assault awareness and prevention education in grades preschool through 12 as part of New Jersey Student Learning Standards in Comprehensive Health and Physical Education.

A1048 (Houghtaling, Downey, Mukherji, Holley/Turner, Stack) - Requires property tax bills to contain eligibility information on State tax relief programs.

A1190 (Jones, Giblin, Mukherji/Beach, Cruz-Perez) - Concerns appointment of person to control funeral and disposition of human remains.

A1369 (Kennedy, DeAngelo, Vainieri Huttle, Benson, Quijano/Greenstein, Addiego) - Allows for cancellation of certain service contracts without paying early termination fee if customer becomes deceased prior to end of service contract.

A1428 (McKnight, Chaparro, Chiaravalloti, Vainieri Huttle/Ruiz, Cunningham) - Requires Department of Education to develop guidelines for school districts concerning child trafficking awareness and prevention.

A3766 (Armato, Houghtaling, Murphy, Jones/Corrado) - Requires public officer or employee to forfeit pension upon conviction for corruption of public resources, sexual contact, lewdness, or sexual assault when offense involves or touches upon public office or employment.

A5162 (Speight, Reynolds-Jackson/Beach) - Permits county board of chosen freeholders to increase membership of county board of elections.

A5456 (Armato, Kennedy, Speight/Greenstein, Bateman) - Authorizes NJ Infrastructure Bank to expend certain sums to make loans for environmental infrastructure projects for FY2020.

A5457 (Danielsen, Swain, Milam/Codey) - Appropriates funds to DEP for environmental infrastructure projects for FY2020.

A5462 (Milam, Speight, Murphy/Smith) - Modifies powers and duties of New Jersey Infrastructure Bank.

S692 (Ruiz, Sarlo/Jasey, Caputo, Holley) - Prohibits the DOE from regulating maximum salary amount school district may pay its superintendent of schools and codifies standards for contract review.

S756 (Diegnan, Turner/Calabrese, Sumter, Pinkin) - Updates notice of elections requirements to include information for voter to obtain polling place locations.

S858 (Turner, Diegnan/Jasey, Caputo) - Requires teachers of health and physical education in grades kindergarten through six in public schools to possess appropriate endorsement to instructional certificate.

S954 (Vitale, Singleton, Madden/Conaway, Moriarty, Sumter, McKnight, Mukherji, Downey) - Enters New Jersey in enhanced multistate Nurse Licensure Compact.

S1373 (Andrzejczak/Land, Milam) - Expands option of governmental home health care agency to partner with non-governmental providers to deliver health care services.

S1707 (Oroho, Bateman, Andrzejczak/Space, Wirths) - Exempts governmental entities acquiring lands for open space located in a deed-authorized common interest community from paying community fees if, at time of acquisition, community has never been formed or has been dissolved or discontinued.

S1761 (Weinberg, Singleton/Pintor Marin, Lampitt, Pinkin, Munoz, McKeon) - Expands the Address Confidentiality Program to include victims of sexual assault and stalking; and reproductive health service patients and providers.

S1799 (A.R. Bucco/A.M. Bucco, Murphy, Caputo) - Increases membership of fire safety commission in DCA.

S2472 (Singleton, Murphy/Conaway, Timberlake) - Requires certain real estate licensees to complete courses of study concerning fair housing and housing discrimination.

S2489 (Cruz-Perez, Turner/Mosquera, Jones, Holley, McKnight, Downey) - Requires board of education to post information about child abuse hotline in each school.

S2575 (Diegnan, Greenstein/Karabinchak, Reynolds-Jackson) - Establishes task force to examine and make recommendations regarding implementation of "Anti-Bullying Bill of Rights Act."

S2944 (Ruiz, Cunningham/Pintor Marin, McKnight, Chiaravalloti) - Permits certain council members to appoint up to four fulltime equivalent aides; allows these aide positions to be divided into part-time positions.

S2994 (Ruiz/Freiman, McKeon, Schaer) – Concerns refunds following terminations or cancellations of guaranteed asset protection waivers.

S3043 (Madden, Oroho/Mosquera, Pintor Marin) - Clarifies that family day care providers or other persons who are subjects of criminal history record back checks have access to disqualifying information.

S3452 (Ruiz, Pou/Lopez, Holley, Schaer) - Requires certain consumer reporting agencies to make consumer reports available to consumers in Spanish and certain other languages.

S3899 (Ruiz/Burzichelli) - Allows TPAF retiree to be employed, without TPAF reenrollment, by school district as certificated superintendent or administrator for more than two years when in best interests of school district.