

115TH CONGRESS
2D SESSION

H. R. 435

IN THE SENATE OF THE UNITED STATES

JUNE 26, 2018

Received; read twice and referred to the Committee on Banking, Housing, and
Urban Affairs

AN ACT

To amend the Fair Credit Reporting Act to clarify Federal law with respect to reporting certain positive consumer credit information to consumer reporting agencies, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “The Credit Access and
3 Inclusion Act of 2017”.

4 **SEC. 2. POSITIVE CREDIT REPORTING PERMITTED.**

5 (a) IN GENERAL.—Section 623 of the Fair Credit
6 Reporting Act (15 U.S.C. 1681s–2) is amended by adding
7 at the end the following new subsection:

8 “(f) FULL-FILE CREDIT REPORTING.—

9 “(1) IN GENERAL.—Subject to the limitation in
10 paragraph (2) and notwithstanding any other provi-
11 sion of law, a person or the Secretary of Housing
12 and Urban Development may furnish to a consumer
13 reporting agency information relating to the per-
14 formance of a consumer in making payments—

15 “(A) under a lease agreement with respect
16 to a dwelling, including such a lease in which
17 the Department of Housing and Urban Devel-
18 opment provides subsidized payments for occu-
19 pancy in a dwelling; or

20 “(B) pursuant to a contract for a utility or
21 telecommunications service.

22 “(2) LIMITATION.—Information about a con-
23 sumer’s usage of any utility services provided by a
24 utility or telecommunication firm may be furnished
25 to a consumer reporting agency only to the extent
26 that such information relates to payment by the con-

1 consumer for the services of such utility or tele-
2 communication service or other terms of the provi-
3 sion of the services to the consumer, including any
4 deposit, discount, or conditions for interruption or
5 termination of the services.

6 “(3) PAYMENT PLAN.—An energy utility firm
7 may not report payment information to a consumer
8 reporting agency with respect to an outstanding bal-
9 ance of a consumer as late if—

10 “(A) the energy utility firm and the con-
11 sumer have entered into a payment plan (in-
12 cluding a deferred payment agreement, an ar-
13 rearage management program, or a debt for-
14 giveness program) with respect to such out-
15 standing balance; and

16 “(B) the consumer is meeting the obliga-
17 tions of the payment plan, as determined by the
18 energy utility firm.

19 “(4) DEFINITIONS.—In this subsection, the fol-
20 lowing definitions shall apply:

21 “(A) ENERGY UTILITY FIRM.—The term
22 ‘energy utility firm’ means an entity that pro-
23 vides gas or electric utility services to the pub-
24 lic.

1 “(B) UTILITY OR TELECOMMUNICATION
2 FIRM.—The term ‘utility or telecommunication
3 firm’ means an entity that provides utility serv-
4 ices to the public through pipe, wire, landline,
5 wireless, cable, or other connected facilities, or
6 radio, electronic, or similar transmission (in-
7 cluding the extension of such facilities).”.

8 (b) LIMITATION ON LIABILITY.—Section 623(c) of
9 the Consumer Credit Protection Act (15 U.S.C. 1681s-
10 2(c)) is amended—

11 (1) in paragraph (2), by striking “or” at the
12 end;

13 (2) by redesignating paragraph (3) as para-
14 graph (4); and

15 (3) by inserting after paragraph (2) the fol-
16 lowing new paragraph:

17 “(3) subsection (f) of this section, including any
18 regulations issued thereunder; or”.

19 (c) GAO STUDY AND REPORT.—Not later than 2
20 years after the date of the enactment of this Act, the
21 Comptroller General of the United States shall submit to
22 Congress a report on the impact of furnishing information
23 pursuant to subsection (f) of section 623 of the Fair Cred-

1 it Reporting Act (15 U.S.C. 1681s-2) (as added by this
2 Act) on consumers.

Passed the House of Representatives June 25, 2018.

Attest:

KAREN L. HAAS,

Clerk.