

115TH CONGRESS
1ST SESSION

H. R. 435

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.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 11, 2017

Mr. ELLISON (for himself, Mr. PITTENGER, Mrs. CAROLYN B. MALONEY of New York, Mr. DUFFY, Mr. AL GREEN of Texas, Mr. STIVERS, Mr. MEEKS, Mrs. LOVE, Mr. CAPUANO, Mr. RENACCI, Ms. MOORE, Mr. JONES, Mr. CONYERS, Mr. GRIJALVA, and Ms. SCHAKOWSKY) introduced the following bill; which was referred to the Committee on Financial Services

A BILL

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,*

3 **SECTION 1. SHORT TITLE.**

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

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

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

5 “(f) FULL-FILE CREDIT REPORTING.—

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

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

17 “(B) pursuant to a contract for a utility or
18 telecommunications service.

19 “(2) LIMITATION.—Information about a con-
20 sumer’s usage of any utility services provided by a
21 utility or telecommunication firm may be furnished
22 to a consumer reporting agency only to the extent
23 that such information relates to payment by the con-
24 sumer for the services of such utility or tele-
25 communication service or other terms of the provi-
26 sion of the services to the consumer, including any

1 deposit, discount, or conditions for interruption or
2 termination of the services.

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

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

13 “(B) the consumer is meeting the obliga-
14 tions of the payment plan, as determined by the
15 energy utility firm.

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

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

22 “(B) UTILITY OR TELECOMMUNICATION
23 FIRM.—The term ‘utility or telecommunication
24 firm’ means an entity that provides utility serv-
25 ices to the public through pipe, wire, landline,

1 wireless, cable, or other connected facilities, or
2 radio, electronic, or similar transmission (in-
3 cluding the extension of such facilities).”.

4 (b) LIMITATION ON LIABILITY.—Section 623(c) of
5 the Consumer Credit Protection Act (15 U.S.C. 1681s-
6 2(c)) is amended—

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

9 (2) by redesignating paragraph (3) as para-
10 graph (4); and

11 (3) by inserting after paragraph (2) the fol-
12 lowing new paragraph:

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

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