



THE MASSACHUSETTS HOUSE OF REPRESENTATIVES
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THIRD MIDDLESEX DISTRICT
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House Passes Legislation to Enhance Consumer Protection Following Data Breaches

Legislation removes fees for security freezes and increases access to credit reports

(BOSTON) – Representative Kate Hogan joined her colleagues in the House of Representatives to pass legislation providing added protections and resources for consumers in the event of a data security breach that impacts a credit agency or other business. Under this legislation, credit freezes, lifts, or removals must be provided to consumers without a charge. Credit agencies or businesses must provide one year of free credit monitoring after any breach.

“In the wake of several data breaches in recent years, including last year’s massive breach at Equifax, this important legislation establishes much-needed protections for any individuals who may be impacted by such situations in the future,” said Representative Kate Hogan (D-Stow). “I’m proud of the House’s commitment to protecting consumers in the Commonwealth and I’m eager to see this bill signed into law.”

The legislation updates the framework for the implementation of a freeze and related communication including:

- Modernizes the current law by allowing consumers to request credit freezes electronically or by telephone.
- Requires clear and accurate disclosure to consumers of basic information about credit freezes.
- In the event of a security breach, mandates credit agencies place a security freeze on a consumer report within one day of an electronic or telephone request, and within three days of receipt of a written request.
- Credit agencies must send confirmation of the security freeze within three days.
- Credit agencies must lift a security freeze within three days of a written request and 15 minutes of an electronic/phone request.
- When a consumer requests a freeze, national credit reporting agencies must inform consumers of other reporting agencies that may have files on the consumer. They must also inform consumers of appropriate websites, toll-free numbers and mailing addresses that would permit the consumer to place additional freezes.

For the first time in Massachusetts, this legislation establishes specific guidelines for parents and guardians to freeze accounts of children under the age of 16 and incapacitated individuals.

The legislation also updates notification guidelines for breached entities and third party affiliates.

- Breached entities must provide consumers with immediate notice and timely updates.
- Upon receiving notice of a breach, the Office of Consumer Affairs and Business Regulation must post notice online within 24 hours.

Additionally, the Attorney General must provide information online to consumers regarding the breach.

This bill also updates current law to require companies and organizations to obtain consent before running a credit report.

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Representative Kate Hogan

Representative Kate Hogan represents the Third Middlesex District, which includes the towns of Bolton, Hudson, Maynard, and Stow. She currently serves as the House Chair on the Joint Committee on Public Health. Rep. Hogan can be reached by phone at 617-722-2130 or by email at Kate.Hogan@MAhouse.gov. You can also connect with Rep. Hogan on Facebook ([facebook.com/kate.hogan.948](https://www.facebook.com/kate.hogan.948)) or Twitter (@repkatehogan).



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