

MINUTES OF THE HOUSE FINANCIAL INSTITUTIONS COMMITTEE

The meeting was called to order by Chairman Anthony Brown at 3:30 p.m. on February 16, 2009, in Room 784 of the Docking State Office Building.

All members were present.

Committee staff present:

Bruce Kinzie, Office of the Revisor of Statutes
Melissa Calderwood, Kansas Legislative Research Department
Terri Weber, Kansas Legislative Research Department
Joyce Bishop, Committee Assistant

Conferees appearing before the committee:

Representative Raj Goyle
Maren Turner, Director, AARP Kansas
Lee Urban, Assistant Attorney General
Representative Gene Rardin
Brent Rebein, Citizen
Ron Gaches, representing Consumer Data Industry Association
Representative Ron Worley
Mitzi McFatrach, Executive Director, Kansas Advocates for Better Care

Others attending:

See attached list.

Chairperson Brown opened the hearing on **HB 2292 - Requests for security freeze on consumer reports.**

Representative Raj Goyle presented testimony in support of **HB 2292 (Attachment 1)**. He also presented a balloon amendment to **HB 2292 (Attachment 2)**.

Representative Gene Rardin, presented testimony in support of **HB 2292 (Attachment 3)**.

Brent Rebein, a citizen, provided written testimony only in support of **HB 2292 (Attachment 4)**.

Representative Ron Worley, provided testimony in support of **HB 2292 (Attachment 5)**. He suggested the language regarding, the consumer as a victim of identity theft, needed to be changed to an "either/or" language.

Maren Turner, Director, AARP Kansas, presented testimony in support of **HB 2292 (Attachment 6)**.

Lee Urban, Assistant Attorney General, presented testimony in support of **HB 2292 (Attachment 7)**.

Ron Gaches, representing Consumer Data Industry Association, presented testimony in support of **HB 2292 (Attachment 8)**.

Mitzi McFatrach, Kansas Advocates for Better Care, presented written testimony in support of **HB 2292 (Attachment 9)**.

Chairperson Brown closed the hearing on **HB 2292** and called a five minute break before considering action on **HB 2292**.

Chairperson Brown took a voice vote to suspend the rules so the committee would be able to work the bill on the same day it was heard. Committee members voted in favor of suspending the rules.

Cindy Neighbor made a motion to insert the proposed balloon (Attachment 2) and amend 50-723(j) to eliminate the \$5 fee requirement for replacing "a previously requested personal identification number." She

CONTINUATION SHEET

Minutes of the House Financial Institutions Committee at 3:30 p.m. on February 16, 2009, in Room 784 of the Docking State Office Building.

then closed her motion.

Cindy Neighbor then made the motion that **HB 2292** be favorably passed from committee as amended. Robert Olson seconded the motion. The motion passed unanimously.

Robert Olson made a motion to approve the minutes from the February 9th Committee meeting. Phil Hermanson seconded the motion. The motion passed unanimously.

Future meetings will be on call of Chairperson Brown.

The meeting was adjourned at 4:30pm

HOUSE FINANCIAL INSTITUTIONS COMMITTEE

3:30pm,

Room 784, Docking State Office Building

GUEST LIST

DATE: February 16, 2009

NAME	REPRESENTING
Haley Davee	KCUA
Matthew Goddard	Heartland Community Bankers Assoc.
Michelle Poulter	Capital Strategies
Tyri Gaches	CDIA
Dan Gibb	KS AG
LEE URBAN	KS AG
Mary Tritsch	AARP
Ernie Kutzley	AARP
Mara Juma	AARP

DOCKING STATE OFFICE BLDG.
7TH FLOOR
TOPEKA, KANSAS 66612
(785) 296-7885
goyle@house.state.ks.us



214 S. LOCHINVAR
WICHITA, KANSAS 67207
(316) 681-8133

RAJ GOYLE
87TH DISTRICT

**TESTIMONY IN SUPPORT OF HB 2292
HOUSE COMMITTEE ON FINANCIAL INSTITUTIONS
FEBRUARY 16, 2009**

Chairman Brown, Vice Chairman Proehl, Ranking Member Grant, and Committee Members:

As technology evolves so does crime. Identity theft—when a person uses another's identity to steal money or gain other benefits—has exploded in recent years. The Federal Trade Commission has described identity theft as the fastest growing crime in the nation. One study estimated the cost to the U.S. economy from identity theft to be in excess of \$53 billion annually.

The problem is also growing rapidly here in Kansas. Federal data from 2007 indicated 1,694 *reported* cases of identity theft, a number that very likely undercounts the true number of victims as many people fail to report the occurrence of the crime. In Sedgwick County in 2008, consumer fraud experts reported an increase in identify theft of nearly 30% from the previous year.

One of the main problems for victims of identity theft is freezing access to their credit reports so that the damage done by identity thieves can be stopped as soon as it's discovered. The current process for victims is cumbersome, requiring a police report and certified mail to file a complaint. This bill is an important step to simplify the procedures for victims of identity theft. It eliminates the \$10 fee normally charged by credit agencies for freezing the report and ensures that the process is done in a timely manner.

This bill also provides identical protections for consumers who are not victims of identity theft but wish to freeze their credit reports, although for these consumers, the fee will be \$5 (again, reduced from the normal \$10 fee).

This bill is supported by all interested parties—the Attorney General, AARP, and the credit industry—which reflects the widespread recognition that something must be done to help consumers with these issues. This bill will make a difference to thousands of Kansans who are struggling with their credit and identity theft.

Thank you and I look forward to any questions you may have.


Rep. Raj Goyle

HOUSE FINANCIAL INSTITUTIONS
DATE: 02/16/2009
ATTACHMENT: 1

Proposed Amendment to HB No. 2292
February 16, 2009

HOUSE FINANCIAL INSTITUTIONS
DATE: 2/16/2009
ATTACHMENT: 2

1 financial obligation owing for the account, contract, or negotiable instru-
2 ment. For purposes of this paragraph, "reviewing the account" includes
3 activities related to account maintenance, monitoring, credit line in-
4 creases and account upgrades and enhancements;

5 (4) a subsidiary, affiliate, agent, assignee or prospective assignee of a
6 person to whom access has been granted under subsection (e) for the
7 purposes of facilitating the extension of credit;

8 (5) a person providing a credit report for the purposes permitted
9 under 15 U.S.C. § 1681b(c);

10 (6) any person providing a consumer with a copy of the consumer's
11 own report at such consumer's request;

12 (7) a child support enforcement agency;

13 (8) a consumer reporting agency that acts only as a reseller of credit
14 information by assembling and merging information contained in the da-
15 tabase of another consumer reporting agency or multiple consumer re-
16 porting agencies and does not maintain a permanent database of credit
17 information from which new consumer reports are produced; however, a
18 consumer reporting agency acting as a reseller shall honor any security
19 freeze placed on a consumer report by another consumer reporting
20 agency;

21 (9) a check services or fraud prevention services company, which is-
22 sues reports on incidents of fraud or authorizations for the purpose of
23 approving or processing negotiable instruments, electronic funds trans-
24 fers or similar methods of payments;

25 (10) a deposit account information service company which issues to
26 inquiring banks or other financial institutions, for use only in reviewing a
27 consumer request for a deposit account at the inquiring bank or financial
28 institution, reports regarding account closures due to fraud, substantial
29 overdrafts, ATM abuse or similar negative information regarding a
30 consumer;

31 (11) an employer in connection with any application for employment
32 with the employer;

33 (12) any person administering a credit file monitoring subscription
34 service to which the consumer has subscribed; or

35 (13) any person or entity for use in setting or adjusting a rate, ad-
36 justing a claim or underwriting for insurance purposes.

37 (j) *Except as otherwise provided in this section, a consumer reporting*
38 *agency may charge a fee not to exceed \$5 for placing, temporarily lifting*
39 *or removing each freeze, ~~or~~ for replacing a previously requested personal*
40 *identification number. Such agency shall not charge a fee to a victim of*
41 *identity theft for placing, temporarily lifting or removing a security freeze*
42 *on a consumer report, provided that at the time of requesting a freeze*
43 *the victim provides to the agency a valid copy of a police report, inves-*

. The consumer reporting agency shall not charge a fee

State of Kansas
House of Representatives




10900 W. 104TH STREET
OVERLAND PARK, KANSAS 66214
(913) 492-2253

Gene Rardin
16TH DISTRICT
STATE CAPITOL
TOPEKA, KANSAS 66612
(785) 296-7698
rardin@house.state.ks.us

MEMORANDUM

TO: The Honorable Anthony Brown, Chair
The Honorable Richard Proehl, Vice Chair
The Honorable Bob Grant, Ranking Minority
Members, House Committee on Financial Institutions

FROM:  Representative Gene Rardin – Dist. 16
DATE: February 15, 2009
RE: HB 2292– AN ACT CONCERNING CONSUMER CREDIT & CREDIT FREEZES

I am offering this testimony in support of HB 2292 which significantly improves the ability of consumers to take proactive steps to protect themselves from the growing menace of identity theft. In particular, HB 2292 expedites the ability of consumers who fear identity theft to place freezes on their credit report information.

This credit report information must be accessed when individuals are legitimately opening new credit card accounts or other lines of credit or when identity thieves are attempting to obtain new credit cards or credit lines with stolen identities.

HB 2292 makes it possible for consumers to place freezes on that credit information for a nominal \$5 fee (reduced from \$10 currently) even before they have been victimized and without the need to file a police report as is also the case currently. In addition, this bill streamlines the process of placing and removing the freezes while still retaining important exceptions providing access for government, law enforcement, courts, child support enforcement agencies and private collection agencies among others.

In another change, the \$5 charge will be waived if the person suspecting that they may have been victims of identity theft has filed a police report or complaint on the matter.

Identity theft can devastate a person's credit history and take years to resolve. It is a growing problem, most likely to worsen in a time of economic difficulty, such as the one we are now experiencing. That's why it's so important that preventative measures, like the ones provided for in this bill, are instituted.

I urge you to pass this bill out of committee favorably.

HOUSE FINANCIAL INSTITUTIONS
DATE: 02/16/2009
ATTACHMENT: 3

MEMORANDUM

TO: The Honorable Anthony Brown Chair
The Honorable Richard Proehl, Vice Chair
The Honorable Bob Grant, Ranking Minority
Members, House Committee on Financial Institutions

From: Brent Rebein
12735 W 110th Terrace
Overland Park, KS 66210

Date: February 15, 2009

RE: HB 2292 - AN ACT CONCERNING CONSUMER CREDIT AND CREDIT
FREEZES

I AM WRITING THIS LETTER IN THE HOPE THAT CITIZENS OF THE STATE OF KANSAS WON'T HAVE TO ENCOUNTER THE SAME PROBLEMS THAT I HAVE HAD TO GO THRU IN ORDER TO OBTAIN A CREDIT FREEZE TO PROTECT THEIR CREDIT. IN THE FALL OF 2007 I SENT A LETTER AND A \$10.00 FEE TO THE 3 MAIN CREDIT REPOSITORIES ASKING FOR A CREDIT FREEZE.

OF THE THREE ONLY ONE REPOSITORY ACTUALLY DID PLACE THE FREEZE, THE REMAINING TWO INDICATED THEY COULD NOT BECAUSE I HAD FAILED TO PROVIDE A POLICE REPORT PROVING THAT I HAD BEEN A VICTIM OF IDENTITY THEFT. I FOLLOW THE NATIONAL NEWS AND KNOW THAT IDENTITY THEFT IS A HUGH AND GROWING PROBLEM AND I DID NOT WANT TO JOIN THE LIST OF VICTIMS. I CALLED THE CONSUMER RELATIONS DEPARTMENTS OF THE REMAINING TWO REPOSITORIES AND WAS TOLD THE SAME THING, THAT I COULD ONLY OBTAIN A FREEZE IF I HAD BEEN A VICTIM. I PERSISTED OVER THE NEXT 3 MONTHS TO CONTINUE WRITING A TOTAL OF 5 ADDITIONAL LETTERS REQUESTING OVER AND OVER TO HAVE A CREDIT FREEZE. WITH LUCK THESE LETTERS FINALLY DID THE JOB.

IF PASSED INTO LAW, HB 2292 WOULD BE A HUGH IMPROVEMENT TO EXISTING KANSAS LAW. THIS BILL WOULD ELIMINATE THE ROADBOCKS PLACED IN FRONT OF ME BY THE CREDIT REPOSITORIES AND WILL MAKE OBTAINING A CREDIT FREEZE FOR NON-VICTIMS A MUCH EASIER TASK IN KANSAS.

SINCERELY,

BRENT REBEIN
(913)338-1854

HOUSE FINANCIAL INSTITUTIONS
DATE: 02/16/2009
ATTACHMENT: 4

STATE OF KANSAS
HOUSE OF REPRESENTATIVES

STATE CAPITOL
300 S.W. TENTH STREET
TOPEKA, KANSAS 66612
(785) 296-7689
worley@house.state.ks.us



8957 WOODSTONE
LENEXA, KANSAS 66219
(913)-492-9836
worleyforkansas@yahoo.com

RON WORLEY
30TH DISTRICT

To: The Honorable Anthony Brown, Chairman
Members of the House Financial Institutions Committee

From: Representative Ron Worley

Date: February 16, 2009

RE: House Bill 2245

Thank you for the opportunity to appear before you today and to present testimony in support of House Bill 2245.

This bill makes changes to K.S. A. 2008 Supp. 50-702 and 50-723 to allow Kansas citizens an opportunity to place a security freeze on their consumer credit reports without the requirement of first being a victim of identity theft. With the attention given by the banking system to making citizens aware of how to protect themselves from identity theft I found it surprising that the laws of Kansas currently require that before you can proactively protect yourself from unauthorized use of your credit report files you must first be a victim of identity theft. That current requirement is found on Page 2 line 37 and 38 and again on line 43 and lines 1-3 of page 3 of the bill.

These requirements remind me of the old expression "He is shutting the barn door after the horses are out".

Again, this bill removes the requirement to first be a victim and gives a citizen who has concerns the opportunity to proactively take steps to protect their credit report files.

I would like to thank Chairman Brown for holding this hearing and especially for scheduling a meeting last week with the parties with an interest in this bill and other related bills. I believe when the bill is worked that there will be amendments offered to provide for a reasonable fee payment to the credit agencies to offset their cost of processing a credit freeze and I would also be in support of such an amendment.

It is the belief of the many sponsors of this bill that HB-2245 is in the best interest of consumers and that it will result in no additional cost to the State of Kansas or any local government. This bill may also save law enforcement agencies the costs of materials and investigation time by having less victim cases.

Thank you for your consideration and I would be happy to respond to questions at the appropriate time.

HOUSE FINANCIAL INSTITUTIONS
DATE: 02/16/2009
ATTACHMENT: 5



AARP Kansas
555 S. Kansas Avenue
Suite 201
Topeka, KS 66603

T 1-866-448-3619
F 785-232-8259
TTY 1-877-434-7598
www.aarp.org/ks

February 16, 2009

The Honorable Anthony Brown, Chairperson
House Financial Institutions Committee

HB 2292 - Credit Freeze

Good afternoon Chairman Brown and members of the House Financial Institutions Committee. My name is Maren Turner and I am the Director of AARP Kansas. We represent the views of 376,000 members in Kansas. We thank you for your interest in this important issue and for the opportunity to appear before you today.

A November 2007 AARP study found that 81% of older consumers are concerned about becoming a victim of identity theft. They have good reasons to be concerned. Every day, on average, 27,000 Americans have their identities stolen. In one-third of those cases, crooks use the information to open new accounts in the victim's name.

The Kansas legislature enacted identity theft protections several years ago, including a protection that allows victims of identity theft to place a security "freeze" or limitation on access to their personal information, free of charge, as one way to help them avoid becoming victims of theft again. Today, of the thirty nine states that have enacted ID theft laws, we are only one of four states that limit the freeze to identify theft victims, which means a consumer would have to become a victim before he or she can freeze access to his or her account.

We are here today in support HB 2292. During the 2008 legislative session we proposed SB 644, an expansion of the freeze bill that would allow all Kansas consumers to place a security freeze at reasonable cost. We proposed a revision of that bill to the Interim Judiciary Committee with the support of the Attorney General. Our intentions were to ensure that Kansans can benefit from needed protections found in many other states across the country.

After extensive collaboration with the Kansas Attorney General's staff and Mr. Ron Gaches, lobbyist for credit reporting agencies, we believe that we have reached an agreement in HB 2292 that will provide expanded protections and reasonable fees to Kansas consumers under the Kansas Security Freeze law.

Specifically, we are asking for the following five amendments:

- **The Kansas law should allow all consumers to place a freeze on their credit.**

The current law extends this right only to consumers who have been victimized by identity thieves. HB 2292 will help to reduce the number of

victimizations by allowing consumers to be good advocates on the front end.

- **There should be a reasonable fee structure for consumers to impose a freeze.**

An October 2007 AARP Study "Barriers to the Use of Security Freeze by Older Consumers" found that older consumers are sensitive to the cost of placing and thawing a security freeze and are less likely to use a freeze when either of these is expensive. We have agreed to a \$5 fee for the initial freeze, a \$5 dollar fee for temporarily lifting the freeze, \$5 fee for removing the freeze permanently, and no fee for replacing a lost pin number.

- **Consumers should be able to request a freeze by regular mail as well as by certified mail.**

The current law limits such requests to certified mail, which has a chilling effect on the ability of the consumer who may not have access to postal facilities.

- **Consumers should be able to file a police report in the jurisdiction where the identity theft took place.**

This provision will provide the complainant with a document to carry in case of potential arrest, a critical element of protection for victims.

- **Credit bureaus should develop electronic methods to help expedite requests.**

The same AARP report cited above found that older consumers believe the procedures required to place a security freeze at the national credit bureaus to be difficult, and they want to be able to thaw the security freeze quickly so they can establish new credit quickly. Bureaus should develop and implement a temporary lifting and removal of a freeze in an expedited manner (e.g. 15 minutes for a temporary lift).

Therefore, we support HB 2292. We are fully aware that the three credit bureaus currently will allow any consumer to freeze his/her credit for a costly fee. A couple could have an outlay of \$60, for example, to freeze their account. These costs discourage many older adults from applying the freeze, and there are no guarantees that bureaus will continue to allow nonvictims access to their accounts. Consumers are therefore left to the whims of the credit bureau.

We respectfully request this committee's support of HB 2292 and these proposed revisions to the current law. Thank you for your consideration.

Subject: Identity fraud up in total dollars, victims - Yahoo! News

Yahoo! NEWS

Identity fraud up in total dollars, victim

By Jonathan Stempel Jonathan Stempel – Mon Feb 9, 7:30 am ET

NEW YORK (Reuters) – Identity theft has become more prevalent, with nearly 10 million American victims losing \$48 billion in 2008, but the average loss is falling as consumers and businesses detect fraud faster, a new study shows.

The number of victims rose 22 percent to a record 9.9 million in 2008 from 8.1 million a year earlier, with about one in 23 U.S. adults becoming victims, according to the fifth annual study by Javelin Strategy & Research, released Monday.

Total losses increased from about \$45 billion, following three straight years of declines. The average loss fell 12 percent to \$4,849 from \$5,488. One positive trend was that consumers spent less to clear up a fraud -- an average \$496, down 31 percent. More than half spent nothing.

The economic recession that began in December 2007 is likely a factor in the increase in theft cases, according to James Van Dyke, the president of Javelin. "Identity fraud has been dropping until last year, boom, there was a turn-up," he said in an interview. "The only thing we can logically attribute that to is the economy. If people need to make money, and decide to do so illicitly, identity fraud is the logical opportunity."

Improper use of lost or stolen wallets, checkbooks, and credit and debit cards remained the most common means of fraud, constituting 43 percent of all incidents. Roughly one in four victims had personal identification numbers (PIN) compromised on their ATM cards. Online fraud totaled 11 percent of cases. People who made more than \$75,000 were more likely to be fraud victims than those who made less. By age, the fraud rate was highest among people 35 to 44 years old.

Among ethnic groups, Hispanics had the highest rate of being defrauded, followed by African-Americans, Caucasians and Asians. And by geography, fraud risk was highest in California and Illinois, and lowest in New England and the Plains states.

One unexpected trend was that women were 26 percent more likely to be fraud victims than men. Javelin attributed this to fraudsters' increased focus on finding victims in stores and restaurants, where it said women may spend more frequently.

Experts say consumers can reduce the risk of fraud by: (1) not sharing personal data with unknown emailers and callers, or on social networking sites and chat rooms; (2) keeping sensitive documents secure; (3) destroying unnecessary data; (4) choosing hard-to-guess passwords and PINs and (5) notifying financial services providers and the Equifax, Experian and TransUnion credit bureaus if fraud is suspected.

"It is tougher to commit identity fraud than several years ago as institutions tighten their controls and consumers monitor their accounts more," Van Dyke said. "It's prevention, and detection."

The study was based on phone interviews last October with 4,784 people, including 487 who said they were fraud victims. It was sponsored by Wells Fargo & Co and Intersections Inc, which provides anti-theft services.

(Reporting by Jonathan Stempel; Editing by Gary Hill)

-
-



Consumers Union's Guide to Security Freeze Protection

There are more than eight million new victims of identity theft each year in the U.S. Many of these victims find that crooks have used stolen personal information like Social Security numbers to open new accounts in their victim's name. A security freeze gives consumers the choice to "freeze" or lock access to their credit file against anyone trying to open up a new account or to get new credit in their name.

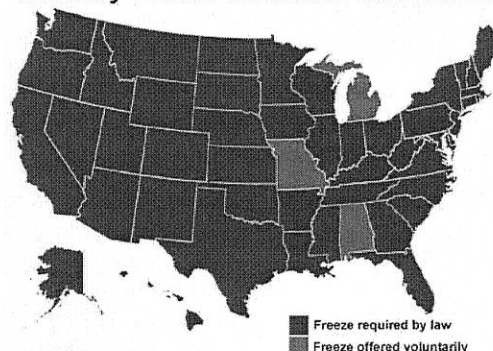
When a security freeze is in place at all three major credit bureaus, an identity thief cannot open a new account because the potential creditor or seller of services will not be able to check the credit file. When the consumer is applying for credit, he or she can lift the freeze temporarily using a PIN so legitimate applications for credit or services can be processed. For more information, see: **Frequently Asked Questions** about the security freeze. To help you decide if getting a security freeze is right for you, **click here**. If you are experiencing problems with your security freeze, **click here**.

States That Have Adopted Security Freeze Laws:

Forty-seven states and the District of Columbia have enacted laws requiring the credit bureaus to enable consumers to protect their credit files with a security freeze.

Alaska, Arizona, Arkansas, California, Colorado, Connecticut, Delaware, District of Columbia, Florida, Georgia, Hawaii, Idaho, Indiana, Illinois, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Minnesota, Mississippi, Montana, Nebraska, Nevada, New Hampshire, New Jersey, New Mexico, New York, North Carolina, North Dakota, Ohio, Oklahoma, Oregon, Pennsylvania, Rhode Island, South Carolina, South Dakota, Tennessee, Texas, Utah, Virginia, Vermont, Washington, West Virginia, Wisconsin, Wyoming

Security Freeze Available Nationwide



Security Freeze Is Now Available In All Other States

Starting November 1, 2007, the security freeze has been offered voluntarily by Equifax, Experian, and TransUnion to consumers living in the states that have not yet adopted security freeze laws (Alabama, Michigan, and Missouri). The freeze also will be available to all consumers in the four states with laws that limit this protection to identity theft victims only (Arkansas, Kansas, Mississippi, and South Dakota). In order to effectively freeze access to your credit files, you must request the security freeze at each three major credit bureaus.

Guide to the Security Freeze By State

PLEASE NOTE: Consumers Union has provided the following templates as general guidelines on how to place the security freeze in your state. However, we strongly recommend that you also check with the three major credit reporting agencies (TransUnion, Equifax and Experian) to ensure you are submitting the proper documents when placing and using the security freeze.

Alabama

Alabama is one of the few states that has not passed a law requiring the availability of the security freeze. However, as of November 1, 2007, Equifax, Experian, and TransUnion are all making the freeze available voluntarily to Alabama residents.

In order to effectively freeze access to your credit files, you must request the security freeze at all three major credit bureaus.

Eligibility: All Consumers

Fees: No fee for identity theft victims. All others pay \$10 to place, temporarily lift, or remove the freeze altogether.

Security Freeze Instructions for Equifax

Security Freeze Instructions for Experian

Security Freeze Instructions for TransUnion

Alaska

Eligibility: All consumers.

Fees: No fees for identity theft victims with a copy of a complaint to law enforcement. All others pay a \$5 fee to place the freeze and \$2 for a temporary lift.

Effective date of law: July 1, 2009

Permanent freeze remains until removal requested by consumer.

Copy of Alaska's security freeze law

Instructions for using Alaska's security freeze law

Before July 1, 2009, you may use the voluntary program.

Security Freeze Instructions for Equifax

Security Freeze Instructions for Experian

Security Freeze Instructions for TransUnion

Arizona (security freeze rights established by state law)

Eligibility: All consumers.

Fees: No fees for identity theft victims with police reports. All others pay a \$5 fee to place the freeze, lift it temporarily, or remove it altogether. \$5 PIN replacement fee.

Effective date of law: August 31, 2008

Instructions for using Arizona's security freeze law

Arkansas (security freeze rights for identity theft victims established by state law)

All others use the voluntary program.

Fees: \$10 to place the freeze, lift it temporarily, or remove it altogether

Effective date of law: January 1, 2008

Permanent freeze remains until removal requested by consumer.

Copy of Arkansas' security freeze law

Instructions for using Arkansas' security freeze law

California (security freeze rights established by state law)

Eligibility: All consumers

Fees: No fee for identity theft victims. All others pay \$10 to place, temporarily lift or remove the freeze; \$12 fee to temporarily lift the freeze for a specific creditor.

Effective date of law: January 1, 2003

Permanent freeze remains until removal requested by consumer.

Copy of California's security freeze law

Instructions for using California's security freeze law

Colorado (security freeze rights established by state law)

Eligibility: All consumers

Fees: No fee for the first freeze; \$10 to lift the freeze temporarily, or to remove it altogether. \$12 to temporarily lift the freeze for a specific creditor. \$10 to place a second freeze.

Effective date of law: July 1, 2006

Permanent freeze remains until removal requested by consumer.

Copy of Colorado's security freeze law

Instructions for using Colorado's security freeze law

Connecticut (security freeze rights established by state law)

Eligibility: All consumers

Fees: \$10 to place the freeze, lift it temporarily, or remove it altogether; \$12 to lift it temporarily for a specific creditor

Effective date of law: January 1, 2006

Permanent freeze remains until removal requested by consumer.

Copy of Connecticut's security freeze law

Instructions for using Connecticut's security freeze law

Delaware (security freeze rights established by state law)

Eligibility: All consumers.

Fees: No fee for identity theft victims. All others pay \$20 to place the freeze, but no fees to lift it temporarily, or remove it altogether.

Effective date of law: September 28, 2006

Permanent freeze remains until removal requested by consumer.

Copy of Delaware's security freeze law

Instructions for using Delaware's security freeze law

District of Columbia (security freeze rights established by D.C. law)

Eligibility: All consumers

Fees: No fees for identity theft victims. All others pay \$10 to place the freeze, but no fees to lift it temporarily, or remove it altogether.

Effective date of law: July 1, 2007

Permanent freeze remains until removal requested by consumer.

Copy of the District of Columbia's security freeze law

Instructions for using the District of Columbia's security freeze law

Florida (security freeze rights established by state law)

Eligibility: All consumers.

Fees: No fees for identity theft victims and seniors 65 years and older. All others pay \$10 to place the freeze, lift it temporarily, or remove it altogether.

Effective date of law: July 1, 2006

Permanent freeze remains until removal requested by consumer.

Copy of Florida's security freeze law

Instructions for using Florida's security freeze law

Georgia

Fees: No fees for identity theft victims with police reports. No fee for placement of the freeze for seniors 65 or older. All others pay a \$3 fee to place the freeze, lift it temporarily, or remove it altogether.

Effective date of law: August 1, 2008

Permanent freeze remains until removal requested by consumer.

Copy of Georgia's security freeze law

Instructions for using Georgia's security freeze law

Hawaii (security freeze rights established by state law)

Eligibility: All consumers.

Fees: No fees for identity theft victims. All others pay \$5 to place the freeze, lift it temporarily, or remove it altogether.

Effective date of law: Original law limited to identity theft victims was effective January 1, 2007. All consumers became eligible for the security freeze on June 15, 2007.

Permanent freeze remains until removal requested by consumer.

Copy of Hawaii's security freeze law

Instructions for using Hawaii's security freeze law

Idaho (security freeze rights established by state law)

Eligibility: All consumers.

Fees: No fees for identity theft victims with police reports. All others pay a \$6 fee to place the freeze, lift it temporarily, or remove it altogether. \$10 PIN replacement fee.

Effective date of law: July 1, 2008
Permanent freeze remains until removal requested by consumer.
Copy of Idaho's security freeze law
Instructions for using Idaho's security freeze law

Illinois (security freeze rights established by state law)

Eligibility: All consumers.
Fees: No fees for identity theft victims with police reports and seniors 65 years and older. All others pay a \$10 fee to place the freeze, lift it temporarily, or remove it altogether.
Effective date of law: January 1, 2007
Permanent freeze remains until removal requested by consumer.
Copy of Illinois' security freeze law
Instructions for using Illinois' security freeze law

Indiana (security freeze rights established by state law)

Eligibility: All consumers
Fees: No fee to place the freeze, lift it temporarily, or remove it altogether.
Effective date of law: September 1, 2007
Permanent freeze remains until removal requested by consumer.
Copy of Indiana's security freeze law
Instructions for using Indiana's security freeze law

Iowa (security freeze rights established by state law)

Eligibility: All consumers.
Fees: No fee for identity theft victims. All others pay \$10 to place the freeze, \$12 to temporarily lift, or \$10 to remove the freeze altogether.
Effective date of law: July 1, 2008.
Permanent freeze remains until removal requested by consumer.
Copy of Iowa's security freeze law
Instructions for using Iowa's security freeze law

Kansas (security freeze rights for identity theft victims established by state law)

Eligibility: Identity theft victims only. As of November 1, 2007, the security freeze will be offered by all three major credit bureaus voluntarily to all consumers.
Fees: No fees permitted by law for identity theft victims. All others pay \$10 to place, temporarily lift, or remove the freeze altogether.
Effective date of law: January 1, 2007
Permanent freeze remains until removal requested by consumer.
Copy of Kansas' security freeze law
Instructions for using Kansas' security freeze law

Non-ID theft victims may use the voluntary program.
Security Freeze Instructions for Equifax
Security Freeze Instructions for Experian
Security Freeze Instructions for TransUnion

Kentucky (security freeze rights established by state law)

Eligibility: All consumers
Fees: No fees for identity theft victims who provide a police report. All others pay \$10 to place the freeze, lift it temporarily, or remove it altogether. \$10 to have PIN reissued.
Effective date of law: July 11, 2006
Note: Security freeze automatically expires after 7 years from date of placement.
Copy of Kentucky's security freeze law
Instructions for using Kentucky's security freeze law

Louisiana (security freeze rights established by state law)

Eligibility: All consumers

Fees: No fees for identity theft victims or persons aged 62 years and older. All others pay \$10 to place the freeze, or \$8 to lift it temporarily. No fee to remove the freeze altogether.

Effective date of law: July 1, 2005

Permanent freeze remains until removal requested by consumer.

Copy of Louisiana's security freeze law

Instructions for using Louisiana's security freeze law

Maine (security freeze rights established by state law)

Eligibility: All consumers

Fees: No fees for identity theft victims who provide a police report. All others pay up to \$10 to place the freeze, lift it temporarily, or remove it altogether. \$10 to have PIN reissued, and \$12 to lift the freeze temporarily for a specific creditor.

Effective date of law: February 1, 2006

Permanent freeze remains until removal requested by consumer.

Copy of Maine's security freeze law

Instructions for using Maine's security freeze law

Maryland (security freeze rights established by state law)

Eligibility: All consumers

Fees: No fees for identity theft victims who provide report of alleged identity fraud or with an identity theft passport. All others pay \$5 to place the freeze, lift it temporarily, or remove it altogether.

Effective date of law: January 1, 2008

Permanent freeze remains until removal requested by consumer.

Copy of Maryland's security freeze law

Instructions for using Maryland's security freeze law

Massachusetts (security freeze rights established by state law)

Eligibility: All consumers.

Fees: No fee for identity theft victims or victim's spouse. \$5 to place the freeze, lift it temporarily, or remove it altogether

Effective date of law: February 3, 2008

Permanent freeze remains until removal requested by consumer.

Copy of Massachusetts' security freeze law

Instructions for using Massachusetts' security freeze law

Michigan

Michigan is one of the few states that has not passed a law requiring the availability of the security freeze. Michigan consumers may use the voluntary program.

Eligibility: All Consumers

Fees: No fee for identity theft victims. All others pay \$10 to place, temporarily lift, or remove the freeze altogether.

Security Freeze Instructions for Equifax

Security Freeze Instructions for Experian

Security Freeze Instructions for TransUnion

Minnesota (security freeze rights established by state law)

Eligibility: All consumers.

Fees: No fees for identity theft victims who provide police report. All others pay \$5 to place the freeze, lift it temporarily, or remove it altogether.

Effective date of law: August 1, 2006

Permanent freeze remains until removal requested by consumer.

Copy of Minnesota's security freeze law

Instructions for using Minnesota's security freeze law

Mississippi (security freeze rights for identity theft victims established by state law)

Eligibility: Identity theft victims with a police report, investigative report or complaint filed with a law enforcement agency.

Fees: \$10 to place a freeze for identity theft victims. All others pay \$10 to place, temporarily lift, or remove the freeze altogether.

Effective date of law: July 1, 2007

Permanent freeze remains until removal requested by consumer.

Copy of Mississippi's security freeze law

Instructions for using Mississippi's security freeze law

Non-ID theft victims may use the voluntary program.

Security Freeze Instructions for Equifax

Security Freeze Instructions for Experian

Security Freeze Instructions for TransUnion

Missouri

Missouri is one of the few states that has not passed a law requiring the availability of the security freeze.

Eligibility: All Consumers

Fees: No fee for identity theft victims. All others pay \$10 to place, temporarily lift, or remove the freeze altogether.

Consumers may use the voluntary program.

Security Freeze Instructions for Equifax

Security Freeze Instructions for Experian

Security Freeze Instructions for TransUnion

Montana (security freeze rights established by state law)

Eligibility: All consumers.

Fees: No fees for identity theft victims. All others pay \$3 to place the freeze or to lift it temporarily. \$5 to have PIN reissued.

No fee to remove the freeze altogether.

Effective date of law: July 1, 2007

Copy of Montana's security freeze law

Instructions for using Montana's security freeze law from Montana's Department of Justice

Instructions for using Montana's security freeze law

Nebraska (security freeze rights established by state law)

Eligibility: All consumers.

Fees: No fees for identity theft victims and minors. All others pay a one time \$15 fee to place the freeze. No fee for lifting the freeze temporarily or removing it altogether.

Effective date of law: September 1, 2007

Note: Security freeze automatically expires after 7 years from date of placement.

Copy of Nebraska's security freeze law

Instructions for using Nebraska's security freeze law

Nevada (security freeze rights established by state law)

Eligibility: All consumers

Fees: No fees for identity theft victims who submit a police report. All others pay \$15 to place the freeze, \$18 to lift it temporarily or remove it altogether. \$20 to lift it temporarily for a specific creditor.

Effective date of law: October 1, 2005

Permanent freeze remains until removal requested by consumer.

Copy of Nevada's security freeze law

Instructions for using Nevada's security freeze law

New Hampshire (security freeze rights established by state law)

Eligibility: All consumers

Fees: No fees for identity theft victims who submit a copy of a police report, investigative report, or complaint to a law enforcement agency. All others pay \$10 to place the freeze, lift it temporarily, or remove it altogether.

Effective date of the law: January 1, 2007

Copy of New Hampshire's security freeze law

Instructions for using New Hampshire's security freeze law**New Jersey (security freeze rights established by state law)**

Eligibility: All consumers

Fees: No fee to place the first security freeze. \$5 fee to lift the freeze temporarily, remove it altogether, or to have PIN reissued.

Note: Consumers are also permitted to make such requests directly to consumer reporting agencies via secured electronic mail.

Effective date of law: January 1, 2006

Permanent freeze remains until removal requested by consumer.

Copy of New Jersey's security freeze law

Instructions for using New Jersey's security freeze law from NJ's Dept of Banking and Insurance

New Mexico (security freeze rights established by state law)

Eligibility: All consumers.

Fees: No fees for identity theft victims with a copy of police or investigative report and for residents over 65 years of age. All others pay \$10 to place a freeze and \$5 to lift it temporarily or remove it altogether.

Effective date of law: July 1, 2007

Permanent freeze remains until removal requested by consumer.

Copy of New Mexico's security freeze law

Instructions for using New Mexico's security freeze law

New York (security freeze rights established by state law)

Eligibility: All consumers.

Fees: No fees for identity theft victims. All others can place the freeze for free the first time it is used. These consumers pay \$5 to lift it temporarily or remove it altogether. If they wish to re-start the freeze after it is removed, they pay a \$5 fee.

Effective date of law: November 1, 2006

Permanent freeze remains until removal requested by consumer.

Copy of New York's security freeze law

Instructions for using New York's security freeze law

North Carolina (security freeze rights established by state law)

Eligibility: All Consumers

Fees: No fees for identity theft victims with a valid report or complaint with a law enforcement agency. All others pay \$10 to place the freeze, lift it temporarily, or remove it altogether.

Effective date of law: December 1, 2005

Permanent freeze remains until removal requested by consumer.

Copy of North Carolina's security freeze law

Instructions for using North Carolina's security freeze law from NC's Attorney General

North Dakota (security freeze rights established by state law)

Eligibility: All consumers.

Fees: No fees for identity theft victims with valid copy of a police report or police case number documenting the investigative report or complaint to law enforcement agency. All others pay \$5 to place or lift the freeze. No fee for removing freeze.

Effective date of law: July 1, 2007

Copy of North Dakota's security freeze law

Instructions for using North Dakota's security freeze law

Ohio (security freeze rights established by state law)

Eligibility: All consumers.

Fees: No fee for identity theft victims. All others pay \$5 to place the freeze, temporarily lift, or remove the freeze altogether.

Effective date of law: September 1, 2008 for the security freeze provisions.

Permanent freeze remains until removal requested by consumer.

Copy of Ohio's security freeze law

Instructions for using Ohio's security freeze law

Oklahoma (security freeze rights established by state law)

Eligibility: All consumers.

Fees: No fees for identity theft victims with investigative report or for seniors aged 65 years and older. All others pay \$10 to place the freeze, lift it temporarily, or remove it altogether.

Effective date of law: January 1, 2007

Permanent freeze remains until removal requested by consumer.

Copy of Oklahoma's security freeze law

Instructions for using Oklahoma's security freeze law

Oregon (security freeze rights established by state law)

Eligibility: All consumers

Fees: No fee for identity theft victims. \$10 to place the freeze, lift it temporarily, or remove it altogether

Effective date of law: October 1, 2007

Permanent freeze remains until removal requested by consumer.

Copy of Oregon's security freeze law

Instructions for using Oregon's security freeze law

Pennsylvania (security freeze rights established by state law)

Eligibility: All consumers.

Fees: No fees for identity theft victims or seniors aged 65 and older. All others pay \$10 to place the freeze or to lift it temporarily. No fee to remove the freeze.

Note: Security freeze automatically expires after 7 years from date of placement.

Effective date of law: January 1, 2007

Copy of Pennsylvania's security freeze law

Instructions for using Pennsylvania's security freeze law

Rhode Island (security freeze rights established by state law)

Eligibility: All consumers.

Fees: No fees for identity theft victims or seniors aged 65 years and older. All others pay \$10 to place the freeze, lift it temporarily, or remove it altogether.

Effective date of law: January 1, 2007

Permanent freeze remains until removal requested by consumer.

Copy of Rhode Island's security freeze law

Instructions for using Rhode Island's security freeze law

South Carolina (security freeze rights established by state law)

Eligibility: All consumers.

Fees: None.

Effective date of law: December 31, 2008

Permanent freeze remains until removal requested by consumer.

Copy of South Carolina's security freeze law

Instructions for using South Carolina's security freeze law

Until December 31, 2008, you may use the voluntary program.

Security Freeze Instructions for Equifax

Security Freeze Instructions for Experian

Security Freeze Instructions for TransUnion

South Dakota (security freeze rights for identity theft victims established by state law)

Eligibility: Identity theft victims with a valid police report. As of November 1, 2007, the security freeze will be offered by all three major credit bureaus voluntarily to all consumers.

Fees: No fees permitted by law for identity theft victims. All others pay \$10 to place, temporarily lift, or remove the freeze altogether.

Note: Only freezes credit report and automatically expires after 7 years from date of placement

Effective date of law: July 1, 2006

Copy of South Dakota's security freeze law

Instructions for using South Dakota's security freeze law

Tennessee (security freeze rights established by state law)

Eligibility: All consumers.

Fees: No fees for identity theft victims. All others pay \$7.50 to place the freeze, no fee to lift it temporarily, and \$5 to remove it altogether.

Effective date of the law: January 1, 2008

Permanent freeze remains until removal requested by consumer.

Copy of Tennessee's security freeze law

Instructions for using Tennessee's security freeze law

Copy of Tennessee's security freeze law

Instructions for using Tennessee's security freeze law

Texas (security freeze rights established by state law)

Eligibility: All consumers.

Fees: No fees for identity theft victims. All other consumers pay \$10 to place the freeze, lift it temporarily, or to remove it altogether. \$12 to lift the freeze temporarily for a specific creditor.

Effective date of law: September 1, 2003 for identity theft victims; September 1, 2007 for all consumers

Permanent freeze remains until removal requested by consumer.

Copy of Texas' security freeze law

Instructions for using Texas' security freeze law

Utah (security freeze rights established by state law)

Eligibility: All consumers

Fees: Utah's law allows credit bureaus to charge "reasonable fees," without specifying the amount that can be charged.

Note: Consumers will be able to temporarily lift or "thaw" the freeze within 15 minutes of electronic request

Effective date of law: September 1, 2008

Permanent freeze remains until removal requested by consumer.

Copy of Utah's security freeze law

Instructions for using Utah's security freeze law

Vermont (security freeze rights established by state law)

Eligibility: All consumers.

Fees: No fees for identity theft victims. All others pay \$10 to place the freeze, \$5 to lift it temporarily or remove it altogether.

Effective date of law: July 1, 2006

Permanent freeze remains until removal requested by consumer.

Copy of Vermont's security freeze law

Instructions for using Vermont's security freeze law from VT's Attorney General

Virginia

Eligibility: All consumers.

Fees: No fees for identity theft victims with police reports. All others pay a \$10 fee to place the freeze.

Effective date of law: July 1, 2008

Permanent freeze remains until removal requested by consumer.

Copy of Virginia's security freeze law

Instructions for using Virginia's security freeze law

Washington (security freeze rights established by state law)

Eligibility: Currently applies to identity theft victims, including persons who receive a notice of a security breach of computerized personal information. Beginning September 1, 2008, all consumers will be eligible for the freeze.

Fees: No fees for identity theft victims or seniors aged 65 years and older. Once all other consumers become eligible in September 2008, they will pay \$10 to place the freeze, lift it temporarily, or remove it altogether.

Effective date of law: July 24, 2005 for identity theft victims; September 1, 2008 for all consumers

Permanent freeze remains until removal requested by consumer.

Copy of Washington's security freeze law

Instructions for using Washington's security freeze law from WA's Attorney General

West Virginia (security freeze rights established by state law)

Eligibility: All consumers.

Fees: No fees for identity theft victims. All others pay \$5 to place the freeze, lift it temporarily, or remove it altogether.

Effective date of the law: July 2, 2007

Permanent freeze remains until removal requested by consumer.

Copy of West Virginia's security freeze law

Instructions for using West Virginia's security freeze law

Wisconsin (security freeze rights established by state law)

Eligibility: All consumers

Fees: No fee for an "individual who submits evidence satisfactory to the CRAs that the individual made a report to a law enforcement agency." All others pay \$10 to place, temporarily lift, or remove the freeze altogether.

Effective date of law: January 1, 2007

Permanent freeze remains until removal requested by consumer.

Copy of Wisconsin's security freeze law

Instructions for using Wisconsin's security freeze law

Wyoming (security freeze rights established by state law)

Eligibility: All consumers

Fees: No fees for identity theft victims. All others pay \$10 to place the freeze, lift it temporarily, or remove it altogether.

Note: Requires electronic and telephone methods to lift, imposes the 15 minute lift timeframe starting September 1, 2008.

Effective date of law: July 1, 2007

Permanent freeze remains until removal requested by consumer.

Copy of Wyoming's security freeze law

Instructions for using Wyoming's security freeze law

For more information on security freezes, see the **Consumers Union/U.S. PIRG Model State Clean Credit and Identity Theft Protection Act**.

Updated September 30, 2008

Financial Services Campaign Team

Consumers Union



STATE OF KANSAS
OFFICE OF THE ATTORNEY GENERAL

STEPHEN N. SIX
ATTORNEY GENERAL

120 SW 10TH AVE., 2ND FLOOR
TOPEKA, KS 66612-1597
(785) 296-2215 • FAX (785) 296-6296
WWW.KSAG.ORG

House Financial Institutions Committee
Assistant Attorney General Lee Urban
Consumer Protection Division
February 16, 2009

Mr. Chairman and members of the committee, thank you for allowing me to testify today on HB 2292.

We rise in support of HB 2292. This bill contains compromise language developed by the Attorney General's office and industry representatives and we believe it is a good step forward for Kansas consumers. HB 2292 modifies existing "security freeze" provisions to do the following:

1. Places a \$5 cap on fees for non identity theft victims for placing, lifting, or removing each freeze. This is a 50% reduction in fees, for each action the consumer takes, compared to the existing fee structure.
2. Mandated 15 minute turnaround time, from a consumer's request, to temporarily lift the freeze so the consumer can access credit. This increases safe and secure accessibility to credit for consumers who have a security freeze on their credit reports.
3. Regular mail as an option to place a security freeze. If a consumer is without internet access, existing law only permits consumers to place a freeze by certified mail. Eliminating the certified mail requirement reduces the unnecessary burden of going to the post office and decreases the cost to consumers. This provision is particularly important for the elderly that may not have access to the internet or have difficulty traveling to the post office.

A provision, supported by all interested parties, is not currently in the bill. We urge the committee to consider amending 50-723(j) to eliminate the \$5 fee requirement for replacing "a previously requested personal identification number." The proposed amended section would read as follows:

- (j) "Except as otherwise provided in this section, a consumer reporting agency may charge a fee not to exceed \$5 for placing, temporarily lifting or removing a freeze. *The consumer reporting agency shall not charge a fee for replacing a previously requested personal identification number.* Such agency..."

Thank you for your time and I look forward to answering any questions.

HOUSE FINANCIAL INSTITUTIONS
DATE: 02/16/2009
ATTACHMENT: 7



GACHES, BRADEN & ASSOCIATES

Government Relations & Association Management

825 S. Kansas Avenue, Suite 500 ♦ Topeka, Kansas 66612 ♦ Phone: (785) 233-4512 ♦ Fax: (785) 233-2206

**Testimony of Consumer Data Industry Association
Regarding HB 2292 – Security Freeze on Consumer Reports
Submitted by Ron Gaches
House Financial Institutions Committee
Monday, February 16, 2009**

Thank you Chairman Brown for this opportunity to speak with your committee regarding HB 2292, a proposal to expand the opportunity for consumers to obtain a security freeze on their financial credit files. I appear on behalf of the Consumer Data Industry Association (CDIA), the trade group for the credit reporting industry and their industry partners.

HB 2292 is the result of discussions that have taken place between the AARP, Attorney General's Office and CDIA following the Interim Judiciary Committee hearing on this topic last fall. CDIA has agreed to the terms of this bill. Key issues of the bill for CDIA include:

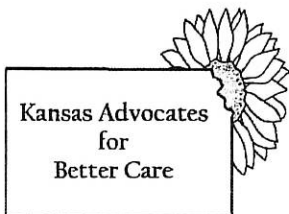
- Permissible fees for placing, lifting and removing a security freeze
- The time limits for placing, lifting and removing a security freeze
- The manner in which a security freeze can be placed or lifted
- Who is entitled to place a security freeze on a credit file
- Reasonable protections against frivolous lawsuits for failure to comply with a deadline for legitimate reasons
- Maintaining conformity with the federal Fair Credit Reporting Act

Passage of this bill will allow anyone to place a security freeze on the credit account whether or not they are a victim of identity theft or not. Those who are a victim of identity theft or believe they may be a victim of identity theft are entitled to place a security freeze on their credit account for free, and to have a lift on the freeze for free. The only requirement is that they file a police report of the crime. The bill tries to simplify the process for filing such a claim by allowing the report to be filed with the Attorney General's office.

The bill provides that others desiring to place a security freeze on their credit file may do so for a maximum fee of \$5. This fee is consistent with the fee structure in most other states. The average fee allowed by the various states for this service is between \$5 and \$10. CDIA has agreed to a \$5 fee cap in Kansas.

CDI A urges your support for this bill in its current form. Thank you Mr. Chairman and I'll respond to any questions.

HOUSE FINANCIAL INSTITUTIONS
DATE: 02/16/2009
ATTACHMENT: 8



"Advocating for Quality Long-Term Care" since 1975

Board of Directors

President:

Barbara Braa, *Eudora*
Trust & Investment Officer

Vice-President:

Artie Shaw, Ph.D., *Lawrence*
Clinical Psychologist

Treasurer:

Evie Curtis, *Overland Park*
Senior Vice-President/Trust Officer

Secretary:

Margaret Farley, BSN, JD
Lawrence, Attorney

Linda Carlsen
Overland Park

Marlene Finney, LMSW, *Topeka*
Retired Social Services Administrator

Annette Graham, LSCSW, *Wichita*
Executive Director,
Central Plains Area Agency on Aging

Donald R. Janes, MD
Overland Park, Director, Senior Link

Jean Krahn, *Manhattan*
Excc. Director, Kansas Guardianship Program

Eloise Lynch, *Salina*
Retired teacher & Kansas Legislator

Earl Nehring, Ph.D., *Lawrence*
Retired Professor of Political Science

Jeanne Reeder, LMSW MRE
Overland Park
Heart of America Alzheimer's Assn.

Molly M. Wood, JD, *Lawrence*
Elder Law Attorney

Honorary Board Member

William Dann, *Lawrence*

Executive Director
Mitzi E. McFatrach

February 13, 2009

The Honorable Anthony Brown, Chairperson
House Financial Institutions

Kansas Advocates for Better Care supports HB 2292, an act concerning consumer credit; relating to security freeze on consumer reports; amending K.S.A. 2008 Supp. 50-723 and repealing the existing section.

Kansas Advocates for Better Care is a non-profit organization that advocates for residents of and recipients of long-term care in our state and has for 35 years.

For a frail elder the ability to easily place a security freeze on her/his credit is very important in maintaining financial protection. For any Kansan, dealing with identity theft is challenging and frightening. For a resident of a nursing home or assisted living facility, who is more vulnerable in every way, the fear and challenges are greatly magnified.

Providing potential victims further protections to limit access to their personal information and ensuring that there is not a charge for the service, and that it is simple to accomplish are all very important to older Kansans.

I urge you to enact the provisions of HB 2292.

Sincerely,

Mitzi E. McFatrach
Executive Director