

February 4, 2015

The Honorable Pete DeGraaf, Chairperson  
House Committee on Financial Institutions  
Statehouse, Room 459-W  
Topeka, Kansas 66612

Dear Representative DeGraaf:

**SUBJECT:** Fiscal Note for HB 2134 by House Committee on Appropriations

In accordance with KSA 75-3715a, the following fiscal note concerning HB 2134 is respectfully submitted to your committee.

HB 2134 would add new provisions to the Fair Credit Reporting Act authorizing consumer credit report security freezes for protected consumers. The bill would define “protected consumers” to include individuals younger than 18 years of age and individuals for whom a guardian or conservator has been appointed. Under specified circumstances the consumer reporting agency could charge a fee of not more than \$10.00 for placing the security freeze on the consumer’s credit report. A consumer could bring suit to recover damages resulting from non-compliance with the provisions of the bill.

HB 2134 would incorporate new definitions for the following terms: record; security freeze for a protected consumer; sufficient proof of authority; and sufficient proof of identification.

HB 2134 has the potential for increasing litigation in the courts. If it does, the Office of Judicial Administration indicates that there would be a fiscal effect on the operations of the court system. However, it is not possible to estimate the number of additional court cases that would arise or how complex and time-consuming they would be. Therefore, a precise fiscal effect cannot be determined. In any case, the fiscal effect would most likely be accommodated within the existing schedule of court cases and would not require additional resources. Any fiscal effect associated with HB 2134 is not reflected in *The FY 2016 Governor’s Budget Report*.

Sincerely,

  
Shawn Sullivan,  
Director of the Budget

cc: Mary Rinehart, Judiciary  
Willie Prescott, Attorney General’s Office