

[First Reprint]

**SENATE, No. 3500**

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**STATE OF NEW JERSEY**  
**218th LEGISLATURE**

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INTRODUCED FEBRUARY 21, 2019

**Sponsored by:**

**Senator NELLIE POU**

**District 35 (Bergen and Passaic)**

**Senator TROY SINGLETON**

**District 7 (Burlington)**

**SYNOPSIS**

Prohibits consumer reporting agencies from making reports containing adverse information related to employees affected by federal government shutdown.

**CURRENT VERSION OF TEXT**

As reported by the Senate Commerce Committee on March 4, 2019, with amendments.



1 AN ACT concerning consumer reporting agencies and  
2 supplementing P.L.1997, c.172 (C.56:11-28 et seq.).  
3

4 **BE IT ENACTED** by the Senate and General Assembly of the State  
5 of New Jersey:  
6

7 1. a. <sup>1</sup>(1)<sup>1</sup> No consumer reporting agency shall include any  
8 adverse information that is a result of <sup>1</sup>**the** <sup>1</sup>a<sup>1</sup> federal government  
9 shutdown in a consumer report pertaining to an affected employee  
10 who provides the agency with notice pursuant to subsection b. of  
11 this section.

12 <sup>1</sup>(2) No user of a consumer report shall consider any adverse  
13 information that is a result of a federal government shutdown in a  
14 consumer report pertaining to an affected employee who provides  
15 the user with notice pursuant to subsection b. of this section.<sup>1</sup>

16 b. (1) An affected employee may contact any consumer  
17 reporting agency and request that the agency disregard any adverse  
18 information related to the employee obtained by the agency <sup>1</sup>**for**  
19 **the period beginning on December 22, 2018 and ending on March 1,**  
20 **2019**<sup>1</sup> with respect to a period beginning on the first day of any  
21 federal government shutdown and extending 90 days following the  
22 end of that federal government shutdown<sup>1</sup>. The employee shall  
23 include in the request a copy of proof of employment as an affected  
24 employee. In the case of an affected employee that is employed by  
25 a contractor with the federal government, the proof of employment  
26 shall include documentation that the employee's pay was suspended  
27 during the federal government shutdown.

28 (2) Any consumer reporting agency that receives a request  
29 pursuant to paragraph (1) of this subsection shall respond to the  
30 affected employee and the Director of the Division of Consumer  
31 Affairs in the Department of Law and Public Safety within <sup>1</sup>**[5]**  
32 five<sup>1</sup> days of receiving the request.

33 <sup>1</sup>(3) An affected employee may contact any user of a consumer  
34 report and request that the user disregard any adverse information  
35 related to the employee in a consumer report with respect to a  
36 period beginning on the first day of any federal government  
37 shutdown and extending 90 days following the end of that federal  
38 government shutdown. The employee shall include in the request a  
39 copy of proof of employment as an affected employee. In the case  
40 of an affected employee that is employed by a contractor with the  
41 federal government, the proof of employment shall include  
42 documentation that the employee's pay was suspended during the  
43 federal government shutdown.

**EXPLANATION** – Matter enclosed in bold-faced brackets **[thus]** in the above bill is  
not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

<sup>1</sup>Senate SCM committee amendments adopted March 4, 2019.

1       (4) Any user of a consumer report that receives a request  
2 pursuant to paragraph (3) of this subsection shall respond to the  
3 affected employee and the Director of the Division of Consumer  
4 Affairs in the Department of Law and Public Safety within five  
5 days of receiving the request.<sup>1</sup>

6       c. No charge shall be imposed by a consumer reporting agency  
7 pursuant to section 10 of P.L.1997, c.172 (C.56:11-37) with respect  
8 to a request made by a consumer pursuant to this section.

9       d. As used in this section:

10       "Affected employee" means a federal employee who, during  
11 <sup>1</sup>~~the~~ a<sup>1</sup> federal government shutdown, is a resident of this State,  
12 and has been required to work as a federal employee without pay or  
13 has been furloughed as a federal employee without pay. "Affected  
14 employee" also means an employee of a contractor with the federal  
15 government whose pay was suspended during <sup>1</sup>~~the~~ a<sup>1</sup> federal  
16 government shutdown as a result of that shutdown.

17       "Federal government shutdown" means <sup>1</sup>~~the~~ any<sup>1</sup> federal  
18 <sup>1</sup>~~fiscal year 2019 partial~~<sup>1</sup> government shutdown that began on <sup>1</sup>or  
19 begins after<sup>1</sup> December 22, 2018.

20       <sup>1</sup>"User of a consumer report" means any person or entity that is  
21 furnished a consumer report for a purpose that is permissible  
22 pursuant to section 4 of P.L.1997, c.172 (C.56:11-31).<sup>1</sup>

23  
24       2. This act shall take effect immediately and be retroactive to  
25 December 22, 2018.