

HOUSE BILL No. 5900

March 21, 2006, Introduced by Reps. Cushingberry, Kathleen Law, Miller, Virgil Smith, Lemmons, Jr., Sheltroun, Condino, Farrah, Gonzales, Meisner, Zelenko, Vagnozzi, Bieda, Murphy, Polidori, Tobocman, Lipsey, Alma Smith, Leland, Gleason and Gillard and referred to the Committee on Judiciary.

A bill to amend 1961 PA 236, entitled
"Revised judicature act of 1961,"
(MCL 600.101 to 600.9947) by adding section 8309.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 SEC. 8309. (1) A CONSUMER MAY BRING AN ACTION IN THE DISTRICT
2 COURT AGAINST A CONSUMER REPORTING AGENCY FOR AN INCOMPLETE OR
3 INACCURATE ITEM OF INFORMATION CONTAINED IN THE CONSUMER'S FILE AT
4 THE CONSUMER REPORTING AGENCY. AN ACTION MAY NOT BE COMMENCED UNDER
5 THIS SUBSECTION UNLESS THE PROCEDURE FOR RESOLVING DISPUTES ABOUT
6 THE COMPLETENESS OR ACCURACY OF SUCH ITEMS OF INFORMATION UNDER
7 SECTION 611 OF THE FAIR CREDIT REPORTING ACT, 15 USC 1681I, HAS
8 BEEN COMPLETED.

1 (2) THE DISTRICT COURT HAS JURISDICTION TO AWARD ANY DAMAGES
2 ALLOWED UNDER THE FAIR CREDIT REPORTING ACT, 15 USC 1681 TO 1681X,
3 AND TO AWARD EQUITABLE RELIEF THAT REQUIRES THE CONSUMER REPORTING
4 AGENCY TO REMOVE THE INCOMPLETE OR INACCURATE ITEM OF INFORMATION
5 FROM THE CONSUMER'S FILE.

6 (3) THIS SECTION DOES NOT AFFECT THE JURISDICTION OF ANY OTHER
7 COURT IN THIS STATE TO HEAR AND DECIDE AN ACTION THAT COULD BE
8 BROUGHT UNDER THIS SECTION.

9 (4) AS USED IN THIS SECTION, "CONSUMER", "CONSUMER REPORTING
10 AGENCY", AND "FILE" MEAN THOSE TERMS AS DEFINED IN SECTION 603 OF
11 THE FAIR CREDIT REPORTING ACT, 15 USC 1681A.