

714G.1 Definitions.

For the purposes of [this chapter](#), unless the context otherwise requires:

1. “*Consumer*” means an individual who is a resident of this state sixteen years of age or older who does not otherwise meet the definition of a protected consumer and who is not subject to a protected consumer security freeze.
2. “*Consumer credit report*” means a consumer report, as defined in 15 U.S.C. §1681a, that is used or collected in whole or in part for the purpose of serving as a factor in establishing a consumer’s eligibility for credit for personal, family, or household purposes.
3. “*Consumer reporting agency*” means the same as defined in 15 U.S.C. §1681a(f). A consumer reporting agency does not include any of the following:
 - a. A check service or fraud prevention service company that reports on incidents of fraud or issues authorizations for the purpose of approving or processing negotiable instruments, electronic fund transfers, or similar methods of payment.
 - b. A deposit account information service company that issues reports regarding account closures due to fraud, overdrafts, automated teller machine abuse, or similar negative information regarding a consumer to inquiring financial institutions for use only in reviewing the consumer’s request for a deposit account at the inquiring financial institution.
 - c. Any person or entity engaged in the practice of assembling and merging information contained in a database of one or more consumer reporting agencies and does not maintain a permanent database of credit information from which new consumer reports are produced.
 - d. A company that maintains a database or file that consists of any of the following information which is used for purposes unrelated to the granting of credit:
 - (1) Criminal history information.
 - (2) Information relating to employment, rental history, or a background check.
4. “*Identification information*” means as defined in [section 715A.8](#).
5. “*Identity theft*” means as used in [section 715A.8](#).
6. “*Normal business hours*” means Sunday through Saturday, between the hours of 6:00 a.m. and 9:30 p.m., central standard time or central daylight saving time.
7. “*Proper identification*” means the same as defined in 15 U.S.C. §1681h(a)(1).
8. “*Protected consumer*” means an individual who is either under sixteen years of age at the time a request for a protected consumer security freeze is made for the individual or is an incapacitated person or a protected person for whom a guardian or conservator has been appointed.
9. “*Protected consumer security freeze*” means one of the following:
 - a. If a consumer reporting agency does not have a file pertaining to a protected consumer, a restriction that is placed on the protected consumer’s record in accordance with [section 714G.8A](#) that prohibits the consumer reporting agency from releasing the protected consumer’s record except as provided in [that section](#).
 - b. If a consumer reporting agency has a file pertaining to a protected consumer, a restriction that is placed on the protected consumer’s consumer credit report in accordance with [section 714G.8A](#) that prohibits the consumer reporting agency from releasing the protected consumer’s consumer credit report or any information derived from the protected consumer’s consumer credit report except as provided in [that section](#).
10. “*Record*” means a compilation of information that includes or satisfies all of the following:
 - a. Identifies a protected consumer.
 - b. Is created by a consumer reporting agency solely for the purpose of complying with [section 714G.8A](#).
 - c. Is not created or used to consider the protected consumer’s credit worthiness, credit standing, credit capacity, character, general reputation, personal characteristics, or mode of living.
11. “*Representative*” means a protected consumer’s parent, guardian, or custodian who provides to a consumer reporting agency sufficient proof of authority to act on behalf of a protected consumer.
12. “*Security freeze*” means a notice placed in a consumer credit report, at the request of

the consumer and subject to certain exceptions, that prohibits a consumer reporting agency from releasing the consumer credit report or score relating to the extension of credit.

13. “*Sufficient proof of authority*” means documentation that shows a representative has authority to act on behalf of a protected consumer, which may be demonstrated in the form of an order issued by a court of law, a lawfully executed and valid power of attorney, or a written notarized statement signed by the representative that expressly describes the authority of the representative to act on behalf of a protected consumer.

14. “*Sufficient proof of identification*” means one or more of the following:

a. A protected consumer’s social security number or a copy of a social security card issued by the federal social security administration.

b. A certified or official copy of a protected consumer’s birth certificate issued by the entity authorized to issue the birth certificate.

c. A copy of a protected consumer’s driver’s license, a protected consumer’s nonoperator’s identification card issued by the state department of transportation, or any other federal or state government-issued form of identification pertaining to a protected consumer.

[2008 Acts, ch 1063, §1](#); [2014 Acts, ch 1041, §1 – 3, 6](#)

2014 amendments take effect January 1, 2015; 2014 Acts, ch 1041, §6

Subsection 1 amended

Subsection 3, NEW paragraph d

NEW subsections 8 – 11 and former subsection 8 renumbered as 12

NEW subsections 13 and 14