

**714G.8A Protected consumer security freeze.**

1. A consumer reporting agency shall implement a protected consumer security freeze for a protected consumer if the consumer reporting agency receives a request from the protected consumer's representative for the placement of the protected consumer security freeze pursuant to [this section](#) and the protected consumer's representative complies with all of the following:

- a. Submits the request to the consumer reporting agency at the address or other point of contact and in the manner specified by the consumer reporting agency.
- b. Provides sufficient proof of identification of the protected consumer and proof of the identity of the representative.
- c. Provides sufficient proof of authority to act on behalf of the protected consumer.
- d. Payment of the fee specified in [subsection 5](#).

2. a. A protected consumer security freeze requested pursuant to [subsection 1](#) shall commence within thirty days after the request is received. If a consumer reporting agency does not have a file pertaining to a protected consumer when the consumer reporting agency receives the request, the consumer reporting agency shall create a record for the protected consumer within thirty days after the request is received.

b. While a protected consumer security freeze is in effect, a consumer reporting agency shall not release the protected consumer's consumer credit report, any information derived from the protected consumer's consumer credit report, or any information contained in the record created for the protected consumer. The protected consumer security freeze shall remain in effect until the protected consumer or the protected consumer's representative requests the consumer reporting agency to remove the protected consumer security freeze pursuant to [subsection 3](#), or the consumer reporting agency removes the protected consumer security freeze pursuant to [subsection 6](#).

3. A consumer reporting agency shall remove a protected consumer security freeze if the consumer reporting agency receives a request from the protected consumer or the protected consumer's representative to remove the protected consumer's security freeze that complies with all of the following:

- a. The request is submitted to the consumer reporting agency at the address or other point of contact and in the manner specified by the consumer reporting agency.
- b. In the case of a request by a protected consumer, the request includes proof that previously submitted sufficient proof of authority for the protected consumer's representative to act on behalf of the protected consumer is no longer valid, and sufficient proof of identification of the protected consumer.
- c. In the case of a request by the representative of a protected consumer, the request includes sufficient proof of identification of the protected consumer, proof of the identity of the representative, and sufficient proof of authority to act on behalf of the protected consumer.
- d. The fee specified in [subsection 5](#).

4. A protected consumer security freeze shall be removed by the consumer reporting agency within thirty days after the request for removal pursuant to [subsection 3](#) is received by the consumer reporting agency.

5. a. A consumer reporting agency may charge a reasonable fee, not to exceed five dollars, for each placement or removal of a protected consumer security freeze. A consumer reporting agency may not charge any other fee for a service performed pursuant to [this section](#).

b. Notwithstanding paragraph "a", a fee may not be charged by a consumer reporting agency pursuant to either of the following:

(1) If the protected consumer's representative has obtained a police report or affidavit of alleged identity theft under [section 715A.8](#) and submits a copy of the report or affidavit to the consumer reporting agency.

(2) A request for the commencement or removal of a protected consumer security freeze is for a protected consumer who is under the age of sixteen years at the time of the request and the consumer reporting agency has a consumer credit report pertaining to the protected consumer.

6. A consumer reporting agency may remove a protected consumer security freeze for a protected consumer or delete a record of a protected consumer if the protected

consumer security freeze was commenced or the record was created based on a material misrepresentation of fact by the protected consumer or the protected consumer's representative.

7. The provisions of sections [714G.8](#), [714G.10](#), and [714G.11](#) shall be applicable to a protected consumer security freeze.

[2014 Acts, ch 1041, §5, 6](#)

Section takes effect January 1, 2015; 2014 Acts, ch 1041, §6

NEW section