

State of South Dakota

NINETY-FIRST SESSION
LEGISLATIVE ASSEMBLY, 2016

549X0539

HOUSE BILL NO. 1242

Introduced by: Representatives Gibson, Bartling, Bordeaux, Brunner, Hawks, Hawley, Johns, Killer, Klumb, Munsterman, Rasmussen, Russell, Schoenfish, Schrempp, and Soli and Senators Buhl O'Donnell, Bradford, Heinert, Parsley, Peterson (Jim), Rusch, Soholt, and Sutton

1 FOR AN ACT ENTITLED, An Act to authorize parents to request a security freeze for their
2 child's credit report until the age of eighteen.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. That § 54-15-3 be amended to read:

5 54-15-3. Any person who is a victim of identity theft and has submitted a valid police report
6 to a consumer reporting agency may elect to place a security freeze on that person's report by
7 making a request in writing by certified mail to a consumer reporting agency at an address
8 designated by the consumer reporting agency to receive such requests. This section does not
9 prevent a consumer reporting agency from advising a third party that a security freeze is in effect
10 with respect to the consumer's credit report. A custodial parent may request a security freeze on
11 the report of any of the parent's unemancipated minor children. The child does not need to be
12 a victim of identity theft and a police report is not necessary.

13 Section 2. That § 54-15-11 be amended to read:

14 54-15-11. A security freeze remains in place until the earlier of the date the consumer



1 reporting agency receives a request from the consumer to remove the freeze or until seven years
2 from the date that the security freeze was put in place pursuant to § 54-15-4. If the security
3 freeze was placed when the consumer was a minor, the security freeze shall automatically end
4 when the consumer turns eighteen years of age. A consumer reporting agency shall remove a
5 security freeze within three business days of receiving a request for removal from the consumer,
6 who provides both of the following:

- 7 (1) Proper identification, as defined in subdivision 54-15-6(1); and
- 8 (2) The unique personal identification number or password provided by the consumer
9 reporting agency pursuant to § 54-15-5.

10 Requests for removal shall be made to a point of contact designated by the agency to receive
11 such requests.