SENATE COMMERCE COMMITTEE

STATEMENT TO

SENATE, No. 1306

with committee amendments

STATE OF NEW JERSEY

DATED: OCTOBER 10, 2024

The Senate Commerce Committee reports favorably and with committee amendments Senate Bill No. 1306.

As amended, this bill supplements the “New Jersey Fair Credit Reporting Act” to provide that no consumer reporting agency shall include, and no user of a consumer report shall consider, any adverse information in a consumer report that is a result of a federal government shutdown, with respect to an affected employee who provides the agency or user notice pursuant to the bill.

Under the bill, an affected employee may contact any consumer reporting agency or user of a consumer report and request that the agency or user disregard any adverse information related to the employee obtained by the agency or user with respect to a period beginning on the first day of any federal government shutdown and extending 90 days following the end of that shutdown. The employee shall include in the request a copy of proof of employment as an affected employee. In the case of an affected employee who is employed by a contractor with the federal government, the proof of employment shall include documentation that the employee’s pay was suspended during the federal government shutdown.

The bill requires any consumer reporting agency or user of a consumer report that receives a request to respond to the affected employee and the Director of the Division of Consumer Affairs in the Department of Law and Public Safety within five days of receiving the request.

Under the bill, an "affected employee" is a federal employee who, during any federal government shutdown, is a resident of this State, and has been required to work as a federal employee without pay or has been furloughed as a federal employee without pay. "Affected employee" also means an employee of a contractor with the federal government whose pay was suspended during federal government shutdown as a result of that shutdown.

The bill prohibits a consumer reporting agency from imposing any charge with respect to a request made by a consumer pursuant to the bill.

This bill was prefiled for introduction in the 2024-2025 session pending technical review. As reported, the bill includes the changes required by technical review, which has been performed.

COMMITTEE AMENDMENTS:

The committee amended the bill to expand the application of the bill to adverse information that is a result of any federal government shutdown, not just any federal government shutdown that began or begins after December 22, 2018.