

**367.364 Persons not required to place a security freeze on a consumer report.**

The following persons are not required to place a security freeze on a consumer report in accordance with KRS 367.363 to 367.365:

- (1) A check services or fraud prevention services company, which issues reports on incidents of fraud or authorizations for the purpose of approving or processing negotiable instruments, electronic funds transfers, or similar methods of payments;
- (2) A deposit account information service company, which issues reports regarding account closures due to fraud, substantial overdrafts, automated teller machine (ATM) abuse, or similar negative information regarding a consumer to inquiring banks or other financial institutions for use only in reviewing a consumer request for a deposit account at the inquiring bank or financial institution;
- (3) A reseller of credit information that assembles or merges information contained in the database of another consumer reporting agency or multiple consumer reporting agencies, and does not maintain a permanent database of credit information from which new consumer reports are produced;
- (4) Any database or file which consists solely of any information adverse to the interests of the consumer, including but not limited to criminal record information, which is used for fraud prevention or detection, tenant screening, employment screening, or any purpose permitted by the federal Fair Credit Reporting Act, 15 U.S.C. sec. 1681b;
- (5) A person to the extent such person offers fraud prevention services that issues reports on incidents of fraud or reports used primarily in the detection or prevention of fraud;
- (6) A bank, as defined in 12 U.S.C. sec. 1813(a) or Subtitles 1, 2, and 3 of KRS Chapter 286;
- (7) A credit union, as defined in 12 U.S.C. sec. 1752 or Subtitle 6 of KRS Chapter 286;
- (8) A savings association, as defined in 12 U.S.C. sec. 1813(b), or an association, as defined in Subtitle 5 of KRS Chapter 286;
- (9) An insurer, as defined in KRS Chapter 304; and
- (10) A retail establishment selling its own inventory.

**Effective:** July 12, 2006

**History:** Created 2006 Ky. Acts ch. 42, sec. 2, effective July 12, 2006.