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## **Tenn. Parents and Guardians Can “Freeze Out” Thieves with Credit Freeze** New Law Gives Parents A New Tool To Protect Teens, Elderly

NASHVILLE – A new Tennessee law can help parents “freeze out” out ID thieves and scammers aiming to pilfer the private information of teens or the information of a person to whom a guardian or conservator has been appointed.

Passed by the General Assembly earlier this year, [Tenn. Code Ann. § 47-18-2111](#) gives parents or legal guardians the ability to enact a security freeze on persons under 16 years of age or an incapacitated person under the care of a guardian or conservator. When the freeze is in place, consumer reporting agencies (e.g. TransUnion, Equifax, Experian) cannot release that person’s credit report or any other information regarding that person unless the security freeze is removed. This prevents others from requesting information, but it may also prevent you from allowing others to access that information quickly should that become necessary in the future.

“As threats to individuals’ personal information seemingly grow more prevalent every day, this law gives parents and guardians an important tool to help protect valuable information from falling into the hands of people who should not have it,” Tennessee Department of Commerce & Insurance Deputy Commissioner Bill Giannini said. “I advise Tennesseans to take precautions to protect their personal information and the information of their loved ones.”

In order to enact a freeze, the requestor must have valid proof of identification and contact the consumer reporting agency directly to request that the freeze be put in place. As the protected consumer’s representative, the requestor must submit sufficient proof of both your identification and the identification of the protected consumer. You must also provide sufficient proof of authority to act on behalf of the protected consumer and pay the fee, if any, charged by the agency.

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The law applies to credit reporting agencies and not consumer report monitoring services.

Here's a FAQ for citizens interested in this legislation:

### **How do I request a security freeze for a Protected Consumer?**

You must contact the consumer reporting agency to request that the freeze be placed. As the protected consumer's representative, you must submit sufficient proof of both your identification and the identification of the protected consumer. You must also provide sufficient proof of authority to act on behalf of the protected consumer and pay the fee, if any, charged by the agency. The maximum fee for placing or lifting a freeze for a Protected Consumer is **\$10** for each action.

### **What is sufficient proof of identification?**

Under Tenn. Code Ann. § 47-18-2111(a)(6), sufficient proof of identification is "information or documentation that identifies a protected consumer or the protected consumer's representative". This includes "[a] Social Security Number or a copy of a social security card issued by the social security administration", "[a] certified or official copy of a certificate of birth issued by the entity authorized to issue the certificate of birth", "[a] copy of a valid driver license or any other government-issued identification", or "[a] copy of a bill, including a bill for telephone, sewer, septic tank, water, electric, oil, or natural gas services, that shows a name and home address."

### **What is sufficient proof of authority?**

Under Tenn. Code Ann. § 47-18-2111(a)(5), sufficient proof of authority is "documentation that shows a representative has authority to act on behalf of a protected consumer". Sufficient proof of authority includes "[a]n order issued by a court of law", "[a] lawfully executed and valid power of attorney", and "[a] written, notarized statement signed by a representative that expressly describes the authority of the representative to act on behalf of a protected consumer."

### **How do I lift a security freeze for a Protected Consumer?**

If you are the Protected Consumer:

You must provide proof that the authority of the representative is no longer valid and proof of your identification, as well as paying the fee, which cannot exceed \$10.00.

If you are the Representative:

You must provide sufficient proof of identification for the protected consumer and the representative. You must also provide sufficient proof of authority to act on behalf of the protected consumer as well as paying the fee, which cannot exceed \$10.00.

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Once a valid request to lift a security freeze is received, the consumer reporting agency must lift the freeze within 30 days.

### **Who does this law apply to?**

The three major Consumer Reporting Agencies are TransUnion, Experian, and Equifax. The law, under Tenn. Code Ann. § 47-18-2111 does not apply to consumer report monitoring services that the protected consumer applied for or that the representative applied for on their behalf, a consumer reporting agency providing a report to the protected consumer or the protected consumer's representative, a consumer reporting agency that acts only as a reseller of credit information by aggregating information (although they must honor a security freeze placed by another consumer reporting agency), "[a] check services or fraud prevention services company that 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", "[a] deposit account information service company that issues reports regarding account closures due to fraud, substantial overdrafts, automatic teller machine 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, or a consumer reporting agency database used for certain purposes.

### **Can I place a freeze online?**

You can. The web pages for each of the three major Consumer Reporting Agencies are found below.

#### **Equifax**

[https://www.freeze.equifax.com/Freeze/jsp/SFF\\_PersonalIDInfo.jsp](https://www.freeze.equifax.com/Freeze/jsp/SFF_PersonalIDInfo.jsp)

#### **Experian**

<https://www.experian.com/freeze/center.html>

#### **TransUnion**

<https://www.transunion.com/freeze>

### **Can I see a complete copy of the bill that created this law?**

Absolutely. You should thoroughly review the law itself for complete information regarding the provisions of the act. It is available online at <http://www.tn.gov/sos/acts/109/pub/pc0282.pdf> and it is codified at Tenn. Code Ann. § 47-18-2111 (<http://www.lexisnexis.com/hottopics/tncode/>).

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