# **30-14-1726, MCA**

Current through all 2023 legislation, inclusive of the final Chapter 783 of the 68th Legislature's concluded Regular session.

***LexisNexis® Montana Code Annotated*  > *Title 30 Trade and Commerce (Chs. 1 — 23)* > *Chapter 14 Unfair Trade Practices and Consumer Protection (Pts. 1 — 28)* > *Part 17 Impediment of Identity Theft (§§ 30-14-1701 — 30-14-1736)***

**30-14-1726 Definitions.**

As used in 30-14-1726 through 30-14-1736, the following definitions apply:

**(1)** “Consumer” means an individual, a parent or guardian in the case of a minor or of an incapacitated person as defined in 72-5-101, or a conservator in the case of a protected person as defined in 72-5-101.

**(2)** “Consumer reporting agency” means any person that, for monetary fees, dues, or on a cooperative nonprofit basis, regularly engages in whole or in part in the practice of assembling or evaluating consumer credit information on consumers for the purpose of furnishing credit reports to a third party and that uses any means or facility of interstate commerce for the purpose of preparing or furnishing credit reports.

**(3)** “Credit report” means any written, oral, or other communication of any information by a consumer reporting agency:

**(a)** bearing on a consumer’s creditworthiness, credit standing, credit capacity, character, general reputation, personal characteristics, or mode of living; and

**(b)** that is used or expected to be used in whole or in part for the purpose of serving as a factor in establishing the consumer’s eligibility for:

**(i)** credit to be used primarily for personal, family, or household purposes;

**(ii)** employment purposes; or

**(iii)** any other purpose authorized under 15 U.S.C. 1681(b).

**(4)** “Person” means an individual, partnership, corporation, trust, estate, cooperative, association, government or governmental subdivision or agency, or other entity.

**(5)** “Proper identification” means information sufficient to verify identity.

**(6)** “Reviewing the account” or “account review” includes activities related to account maintenance, monitoring, credit line increases, and account upgrades and enhancements.

**(7)**

**(a)** “Security freeze” means a notice that:

**(i)** is placed in a consumer’s credit report at the request of the consumer;

**(ii)** is subject to exceptions and exemptions provided in 30-14-1734;

**(iii)** prohibits the consumer reporting agency from releasing all or any part of the consumer’s credit report or credit score without the express authorization of the consumer, as provided in 30-14-1729.

**(b)** A security freeze does not prevent a consumer reporting agency from advising a third party that a security freeze is in effect with respect to the consumer’s credit report.

**History**

En. Sec. 1, Ch. 138, L. 2007; amd. Sec. 1, Ch. 42, L. 2011.

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