

NEWS FROM SCDCA

South Carolina Department of Consumer Affairs



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FOR IMMEDIATE RELEASE

IDENTITY THEFT BILL PROVIDES MORE PROTECTION FOR CONSUMERS

Columbia, SC.....South Carolina consumers can do more to protect their identity now that the General Assembly passed and Governor Mark Sanford signed the “Financial Identity Fraud and Identity Theft Protection Act” on April 2, 2008. The Act provides much needed protection for consumers and is one of the most consumer-friendly and comprehensive bills of its kind in the nation.

A primary provision in the bill allows consumers to freeze and thaw their credit report at no charge. Any consumer may place a freeze on their report, including those wanting to take proactive measures to protect themselves against identity thieves or not wanting to receive more credit than they can financially handle. Businesses, however, have no need to worry about consumers not being able to make purchases as they choose. Thawing your credit only takes one phone call and 15 minutes. South Carolina is one of only two states in the country that provides this service to consumers free of charge. The Act also provides requirements in the area of credit report disputes that are similar to those in the Federal Fair Credit Reporting Act. Under the Financial Identity Fraud and Identity Theft Protection Act, credit reporting agencies must follow certain procedures when a consumer notifies it of an inaccurate or untimely item on their credit report. The consumer is also given the right to sue a credit reporting agency if it does not comply with the Act. This portion of the act will be effective December 31, 2008.

About the South Carolina Department of Consumer Affairs:

Established by the Consumer Protection code in 1974, The South Carolina Department of Consumer Affairs represents the interests of South Carolina Consumers.

Our mission is to protect consumers from inequities in the marketplace through advocacy, mediation, enforcement and education.

For more information, visit www.sccoconsumer.gov.

In addition to giving consumers more control with their credit, the bill also addresses identity theft concerns. According to the Act, organizations and businesses who maintain consumers' personal information must now alert consumers when their personal information may have been compromised. Notice of the security breach must also be given to the Department if 1000 more South Carolina consumers were affected. The Department has been given the responsibility of ensuring consumer are being informed when their identity has been compromised internally or externally. This portion of the bill will be effective July 1, 2009.

The bill also requires all organizations and businesses collecting personal information to have measures for the safe disposal of material "in a manner that makes it unreadable or undecipherable." The Department has been tasked to ensure this requirement is satisfied. This portion of the bill will also be effective July 1, 2009.

Other provisions of the Act include making identity theft a crime, prohibiting dumpster diving, putting restrictions on the use of social security numbers, and limiting the information on credit card receipts. For more information, contact the Public Information Division at 803.734.4190, toll free in SC at 1.800.922.1594, or online at www.scconsumer.gov.

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