

**The 194th General Court of the Commonwealth of Massachusetts**

**2025-2026**

**Bill Summary**

**Bill No:** H1122

**Title:** An Act promoting consumer choice regarding the use of credit trigger leads

**Sponsor:** Representative Michael Day

**Committee:** Financial Services

**Hearing Date:** November 18<sup>th</sup>, 2025

**Reporting Date:** January 17<sup>th</sup>, 2026

**Similar Matters:**

**Prior History:** New file

**Current Law:**

Chapter 93 Section 51: Consumer report; circumstances under which reporting agency may furnish

Section 51. (a) A consumer reporting agency may furnish a consumer report under the following circumstances and no other:

- (1) in response to the order of a court having jurisdiction to issue such an order; or
- (2) in accordance with the written instructions of the consumer to whom it relates; or
- (3) to a person which it reasonably believes:
  - (i) intends to use the information in connection with a credit transaction involving the consumer on whom the information is to be furnished and involving the extension of credit to, or review or collection of an account of, the consumer; or
  - (ii) intends to use the information for employment purposes; or
  - (iii) intends to use the information in connection with the underwriting of insurance involving the consumer; or
  - (iv) intends to use the information in connection with a determination of the consumer's eligibility, or continuing eligibility, for a license or other benefit granted by a governmental instrumentality required by law to consider an applicant's financial responsibility or status; or
  - (v) intends to use the information in connection with a transaction either entered into or being negotiated with a consumer, if by the terms of the transaction either party transfers an interest in real or personal property, pays money or renders services, or becomes obligated so to transfer property, pay money or render services; provided, however, that the consumer who is the subject

of the report, except in the case of the rental or lease of residential property, has provided permission in writing or in the same manner in which the transaction was negotiated or entered into, that a consumer report may be requested in connection with the transaction; or

(vi) intends to use the information for the enforcement of child support orders under chapter one hundred and nineteen A; or

(b) A consumer reporting agency may furnish information for the purposes of a credit transaction under subclause (i) of clause (3) of paragraph (a) where the credit transaction is not initiated by the consumer, only if:

(1) the consumer authorizes the consumer reporting agency to furnish the consumer credit report to the person; or

(2) the proposed transaction involves a firm offer of credit to the consumer, the consumer reporting agency has complied with the provisions of section fifty-one A, and the consumer has not elected to have his name excluded from any list of names provided by the consumer reporting agency for purposes of reporting in connection with the potential issuance of firm offers of credit and the agency only provides the name and address of the consumer and information pertaining to a consumer which is not identified or identifiable with particular accounts or transactions of the consumer.

**Summary:**

This bill amends Section 51 of Chapter 93 of the General Laws to prohibit consumer reporting agencies from selling or sharing information about a consumer's loan application with third parties unless the consumer explicitly consents. It also requires financial institutions to inform consumers of their right to opt into such data-sharing services and provide clear, conspicuous notice on loan applications. The bill ensures that consumers are aware of their rights and may seek compensation if their information is shared negligently or intentionally without consent.