

§1500-RR. Effect of Fair Credit Reporting Act; violation; jurisdiction; remedies
(REALLOCATED FROM TITLE 10, SECTION 1500-EE)

Violations of this chapter are governed by this section. [PL 2025, c. 513, §1 (NEW); RR 2025, c. 2, Pt. A, §60 (RAL).]

1. Violation. A business screening service is considered to be in compliance with this chapter if the business screening service is in compliance with those provisions of the federal Fair Credit Reporting Act, 15 United States Code, Chapter 41, Subchapter III that regulate maintaining accuracy of records; investigations of disputed records, including correction and deletion of records; and providing a notice with disseminated records similar to that required in section 1500-DD. If the conduct of a business screening service violates both the federal provisions described in this subsection and the provisions of this chapter, the business screening service is in violation of this chapter and is liable to the individual who is the subject of the criminal history record information in accordance with subsection 3.

[PL 2025, c. 513, §1 (NEW); RR 2025, c. 2, Pt. A, §60 (RAL).]

2. Foreign corporations; service of process and jurisdiction. A business screening service, that is a foreign corporation, that disseminates criminal history record information in this State or that obtains a criminal record from a government entity or a court in this State is considered to have consented to service of process in this State for purposes of Title 13-B, sections 1212-A and 1213 or any other applicable law and to the jurisdiction of courts in this State for actions involving a violation of this chapter as described in subsection 1 or for the recovery of remedies under this chapter. For the purposes of this subsection, "foreign corporation" has the same meaning as in Title 13-B, section 102, subsection 6.

[PL 2025, c. 513, §1 (NEW); RR 2025, c. 2, Pt. A, §60 (RAL).]

3. Remedies. A business screening service considered in violation of this chapter as described in subsection 1 is liable to the individual who is the subject of the criminal history record information for a penalty of \$1,000 or actual damages caused by the violation, whichever is greater, plus costs and disbursements and reasonable attorney's fees.

[PL 2025, c. 513, §1 (NEW); RR 2025, c. 2, Pt. A, §60 (RAL).]

SECTION HISTORY

PL 2025, c. 513, §1 (NEW). RR 2025, c. 2, Pt. A, §60 (RAL).

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