

111TH CONGRESS
1ST SESSION

H. R. 1637

To amend the Truth in Lending Act to prohibit universal defaults on credit card accounts, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 19, 2009

Mr. ELLISON (for himself, Mr. GUTIERREZ, Mr. AL GREEN of Texas, Mr. CLAY, and Mr. CLEAVER) introduced the following bill; which was referred to the Committee on Financial Services

A BILL

To amend the Truth in Lending Act to prohibit universal defaults on credit card accounts, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Universal Default Pro-
5 hibition Act of 2009”.

6 **SEC. 2. PROHIBIT UNIVERSAL DEFAULTS ON CREDIT CARD**
7 **ACCOUNTS.**

8 Section 127 of the Truth in Lending Act (15 U.S.C.
9 1637) is amended by adding at the end the following new
10 subsection:

1 “(i) UNIVERSAL DEFAULTS PROHIBITED.—

2 “(1) IN GENERAL.—No creditor may use any
3 adverse information concerning any consumer, in-
4 cluding any information in any consumer report (as
5 defined in section 603) or any change in the credit
6 score of the consumer, as the basis for increasing
7 any annual percentage rate of interest applicable to
8 a credit card account of the consumer under an open
9 end consumer credit plan, or to remove or increase
10 any introductory annual percentage rate of interest
11 applicable to such account, for reasons other than
12 actions or omissions of the consumer that are di-
13 rectly related to such account.

14 “(2) NOTICE TO CONSUMER.—The limitation
15 under paragraph (1) on the use of adverse informa-
16 tion by a credit card issuer shall be clearly and con-
17 spicuously described to the consumer by the credit
18 card issuer in any disclosure or statement required
19 under subsection (a) or (b).”.

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