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(Original Signature of Member)

118TH CONGRESS  
2D SESSION

**H. R.** \_\_\_\_\_

To require covered companies to allow consenting cohabitating adults to open joint accounts, and for other purposes.

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IN THE HOUSE OF REPRESENTATIVES

Mr. CASTEN introduced the following bill; which was referred to the Committee on \_\_\_\_\_

\_\_\_\_\_  
**A BILL**

To require covered companies to allow consenting cohabitating adults to open joint 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 “Financial Empower-  
5 ment and Protection Act”.

1 **SEC. 2. COVERED COMPANY JOINT ACCOUNTS OF CON-**  
2 **SENTING COHABITATING ADULTS.**

3 (a) REQUIREMENTS FOR COVERED COMPANY JOINT  
4 ACCOUNTS OF CONSENTING COHABITATING ADULTS.—

5 (1) JOINT ACCOUNTS.—

6 (A) IN GENERAL.—Each covered company  
7 shall allow consenting cohabitating adults who  
8 are or will be customers of the covered company  
9 to open a joint account with the covered com-  
10 pany for purposes of managing—

11 (i) the services provided by the cov-  
12 ered company; and

13 (ii) bills for such services.

14 (B) AGREEMENT REQUIRED.—A joint ac-  
15 count may not be opened pursuant to this para-  
16 graph unless each of the consenting cohabi-  
17 tating adults agree to open the joint account.

18 (2) NAMES.—Each joint account opened pursu-  
19 ant to paragraph (1) shall be in the name of each  
20 of the consenting cohabitating adults who opened  
21 the joint account.

22 (3) REQUESTS FOR INFORMATION.—With re-  
23 spect to a joint account opened pursuant to para-  
24 graph (1), each covered company shall, upon request  
25 by any of the consenting cohabitating adults that

1 opened the joint account, provide to such consenting  
2 cohabitating adults—

3 (A) information related to the joint ac-  
4 count, including—

5 (i) bills;

6 (ii) copies of paper and electronic  
7 mail; and

8 (iii) any information about products  
9 or services provided.

10 (B) access to any online portal for the  
11 joint account.

12 (4) NOTIFICATION REQUIRED.—Each covered  
13 company shall provide a notice to each cohabitating  
14 adult that opens a joint account with the covered  
15 company that explains what information will be  
16 shared by the covered company with each of the con-  
17 senting cohabitating adults.

18 (5) REGULATION P.—If a covered company is  
19 required by Regulation P (part 1016 of title 12,  
20 Code of Federal Regulations) to provide certain pri-  
21 vacy notices such covered company shall provide  
22 such privacy notices to each of the consenting co-  
23 habitating adults who opened the joint account.

24 (6) CIVIL ACTIONS.—Any cohabitating adult  
25 who is harmed by a failure of a covered company to

1 meet a requirement of this subsection may bring a  
2 civil action in a Federal or State court against such  
3 a covered company for an award of not more than  
4 \$1,000 for each such failure.

5 (b) EFFECTIVE DATE.—The requirements of this  
6 section shall apply to covered companies beginning on the  
7 date that is 180 days after the date of the enactment of  
8 this section.

9 (c) DEFINITIONS.—In this section:

10 (1) CONSENTING COHABITATING ADULTS.—

11 (A) IN GENERAL.—Except as provided in  
12 subparagraph (B), the term “consenting cohabi-  
13 tating adults” means any adults who consent to  
14 cohabit.

15 (B) CHILDCARE PROVIDER.—With respect  
16 to a covered company that is a childcare pro-  
17 vider licensed by a State, the term “consenting  
18 cohabitating adults” means the custodial par-  
19 ents of a child who is or will be served by such  
20 a covered company.

21 (2) COVERED COMPANY.—The term “covered  
22 company” includes—

23 (A) an electric utility (as defined in section  
24 3 of the Public Utility Regulatory Policies Act  
25 of 1978 (16 U.S.C. 2602));

1 (B) a gas utility (as defined in section 302  
2 of the Public Utility Regulatory Policies Act of  
3 1978 (15 U.S.C. 3202));

4 (C) a water utility;

5 (D) an owner or operator of a sanitary  
6 landfill (as defined in section 1004 of the Solid  
7 Waste Disposal Act (42 U.S.C. 6903));

8 (E) a provider of internet access service;

9 (F) a provider of telephone service;

10 (G) any person who rents a dwelling that  
11 is covered by the Fair Housing Act (42 U.S.C.  
12 3601 et seq.);

13 (H) any childcare provider licensed by a  
14 State;

15 (I) any person who originates a residential  
16 mortgage loan;

17 (J) any person who leases a residential  
18 dwelling unit;

19 (K) any person who is a servicer of a resi-  
20 dential mortgage loan; and

21 (L) a multichannel video programming dis-  
22 tributor (as defined in section 602 of the Com-  
23 munications Act of 1934 (47 U.S.C. 522)).

24 (3) RESIDENTIAL MORTGAGE LOAN.—The term  
25 “residential mortgage loan” has the meaning given

1 the term in section 103(d)(d) of the Truth in Lend-  
2 ing Act (15 U.S.C. 1602(d)(d)).

3 (4) **SERVICER.**—The term “servicer” has the  
4 meaning given the term in section 6(i)(2) of the  
5 Real Estate Settlement Procedures Act of 1974 (12  
6 U.S.C. 2605(i)(2)).

7 (5) **TELEPHONE SERVICE.**—The term “tele-  
8 phone service” means any of the following:

9 (A) Voice service (as defined in section  
10 227(e)(8) of the Communications Act of 1934  
11 (47 U.S.C. 227(e)(8))).

12 (B) Commercial mobile service (as defined  
13 in section 332(d) of the Communications Act of  
14 1934 (47 U.S.C. 332(d))).

15 (C) Commercial mobile data service (as de-  
16 fined in section 6001 of the Middle Class Tax  
17 Relief and Job Creation Act of 2012 (47 U.S.C.  
18 1401)).

19 (6) **WATER UTILITY.**—The term “water utility”  
20 means the owner or operator of—

21 (A) a public water system (as defined in  
22 section 1401 of the Safe Drinking Water Act  
23 (42 U.S.C. 300f)); or

1 (B) a treatment works (as defined in sec-  
2 tion 212 of the Federal Water Pollution Control  
3 Act (33 U.S.C. 1292)).