

HB 109 - AS INTRODUCED

2021 SESSION

21-0311
06/10

HOUSE BILL **109**

AN ACT relative to the referral of debts for collection.

SPONSORS: Rep. Ulery, Hills. 37

COMMITTEE: Commerce and Consumer Affairs

ANALYSIS

This bill requires creditors to give affirmative notice to a consumer before bills for goods or services may be referred for collection.

Explanation: Matter added to current law appears in ***bold italics***.
 Matter removed from current law appears ~~[in brackets and struck through.]~~
 Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty One

AN ACT relative to the referral of debts for collection.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 1 New Section; Unfair Collection Practices; Affirmative Notification Required. Amend RSA 358-
2 C by inserting after section 1 the following new section:

3 358-C:1-a Affirmative Notification Required. A creditor shall give a consumer affirmative
4 notification 2 weeks prior to referral of any bill to collection. In this chapter, "affirmative
5 notification" means in-person contact by certified mail, telephone communication, or home visit, or
6 posting of a notice of debt on a consumer's door in a solid envelope marked confidential and endorsed
7 with the consumer's name. No debt collector shall leave a message of debt on a recording device. No
8 debt collector shall discuss a debt with a third party, as described by the Fair Debt Collection
9 Practices Act (FDCPA), 15 U.S.C. section 1692c(b), other than a discussion initiated by the customer
10 with a state agency.

11 2 Effective Date. This act shall take effect 60 days after its passage.