

SB216_L.002

SENATE COMMITTEE OF REFERENCE AMENDMENT

Committee on Judiciary.SB17-216 be amended as follows:

1 Amend printed bill, page 3, after line 27, insert:

2 "SECTION 4. In Colorado Revised Statutes, 12-14-111, add (2)
3 as follows:4 12-14-111. Legal actions by collection agencies. (2) A DEBT
5 COLLECTOR OR COLLECTION AGENCY WHO BRINGS A LEGAL ACTION ON A
6 DEBT OWNED BY A DEBT BUYER SHALL ATTACH THE FOLLOWING
7 MATERIALS TO THE COMPLAINT OR FORM:8 (a) (I) A COPY OF THE CONTRACT, ACCOUNT-HOLDER AGREEMENT,
9 OR OTHER WRITING FROM THE ORIGINAL CREDITOR OR THE CONSUMER
10 EVIDENCING THE CONSUMER'S AGREEMENT TO THE ORIGINAL DEBT;11 (II) IN THE CASE OF A MEDICAL DEBT, A COPY OF A REDACTED
12 ITEMIZATION OF CHARGES INCURRED;13 (III) IF A SIGNED WRITING EVIDENCING THE ORIGINAL DEBT DOES
14 NOT EXIST, A COPY OF THE DOCUMENT PROVIDED TO THE CONSUMER
15 WHILE THE ACCOUNT WAS ACTIVE, DEMONSTRATING THAT THE DEBT WAS
16 INCURRED BY THE CONSUMER; OR, FOR A CREDIT CARD DEBT, THE MOST
17 RECENT MONTHLY STATEMENT RECORDING A PURCHASE TRANSACTION,
18 PAYMENT, OR BALANCE TRANSFER; OR19 (IV) IF A CLAIM IS BASED ON AN ELECTRONIC TRANSACTION FOR
20 WHICH A SIGNED WRITING EVIDENCING THE ORIGINAL DEBT NEVER
21 EXISTED, A COPY OF THE RECORDS CREATED DURING THE TRANSACTION
22 EVIDENCING THE CONSUMER'S AGREEMENT TO THE DEBT AND RECORDING
23 THE DATE AND TERMS OF THE TRANSACTION AND INFORMATION PROVIDED
24 BY THE CONSUMER DURING THE TRANSACTION; AND25 (b) A COPY OF THE ASSIGNMENT OR OTHER WRITING ESTABLISHING
26 THAT THE DEBT BUYER IS THE OWNER OF THE DEBT. IF THE DEBT WAS
27 ASSIGNED MORE THAN ONCE, EACH ASSIGNMENT OR OTHER WRITING
28 EVIDENCING TRANSFER OF OWNERSHIP MUST BE ATTACHED TO ESTABLISH
29 AN UNBROKEN CHAIN OF OWNERSHIP, BEGINNING WITH THE ORIGINAL
30 CREDITOR TO THE FIRST DEBT BUYER AND EACH SUBSEQUENT SALE."

31 Renumber succeeding sections accordingly.

32 Page 6, after line 17 insert:

33 "SECTION 12. Effective date. This act takes effect upon
34 passage; except that section 4 of this act takes effect January 1, 2018."

35 Renumber succeeding section accordingly.

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