

By Mr. Tarr, a petition (accompanied by bill, Senate, No. 15) of Bruce E. Tarr, the Massachusetts Mortgage Association, by Stephen E. Sousa, president, and Brian A. Joyce for legislation to further regulate the licensing of certain entities as collection agencies. Banks and Banking.

**The Commonwealth of Massachusetts**

In the Year One Thousand Nine Hundred and Ninety-Nine.

AN ACT RELATIVE TO LICENSING AS A COLLECTION AGENCY.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1 Chapter 93 of the General Laws, as it appears in the 1996  
2 Official Edition, is hereby amended by striking out Section 24 and  
3 inserting in place thereof the following paragraph:—  
4 Section 24. Collection agencies; license; bond; regulations. No  
5 person not being an attorney-at-law authorized to practice in the  
6 commonwealth, a bank as defined in chapter one hundred and  
7 sixty-seven, a mortgage lender or mortgage broker licensed pur-  
8 suant to chapter two hundred fifty-five E, a national banking asso-  
9 ciation having its main office in the commonwealth, or a person  
10 whose usual business is not that of a collection agency, who act as  
11 agent for such bank or national banking association for the pur-  
12 pose of collecting any accounts, bills or other indebtedness which  
13 arise from such person's usual business, or an agent or indepen-  
14 dent contractor employed for the purpose of collecting charges or  
15 bills owed by a tenant to a landlord or owed by a customer to a  
16 corporation subject to the supervision of the department of  
17 telecommunications and energy or the division of insurance in so  
18 far as said person collects charges or bills only for such landlord  
19 or supervised corporations, shall directly or indirectly conduct a  
20 collection agency, or engage in the commonwealth in the business  
21 of collecting or receiving payment for others of any account, bill  
22 or other indebtedness, or engage in the commonwealth in solici-

23 iting the right to collect or receive payment for another of any  
24 account, bill or other indebtedness, or advertise for or solicit in  
25 print the right to collect or receive payment for another of any  
26 account, bill or other indebtedness, without first obtaining from  
27 the commissioner of banks a license to carry on said business, nor  
28 unless such person or the person for whom he or it may be acting  
29 as agent has on file with the state treasurer a good and sufficient  
30 bond. The commissioner may from time to time establish such  
31 regulations pertaining to the conduct of the business as he may  
32 deem necessary.