

By Mr. Kafka of Stoughton, petition of Louis L. Kafka for legislation to establish a commission to study debt collection. Consumer Protection and Professional Licensure.

The Commonwealth of Massachusetts

In the Year Two Thousand and Seven.

AN ACT ESTABLISHING A COMMISSION TO STUDY DEBT COLLECTION.

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

1 Notwithstanding the provisions of any general or special law to
2 the contrary, the Office of Consumer Affairs and Business Regula-
3 tion shall create a commission to study debt collection practices
4 by varying entities within the Commonwealth.

5 1. The commission shall consist of 7 members, 2 of whom shall
6 be appointed by the Governor of the Commonwealth, 2 appointed
7 by the Speaker of the House of Representatives, 2 appointed by
8 the Senate President, and 1 appointed by the Commissioner of the
9 Office of Consumer Affairs and Business Regulation.

10 2. The commission shall examine issues relative to debt collec-
11 tion, including:

12 A. The recent growth of the debt-collection industry and its
13 practices, specifically the buying of debt by other companies and
14 the methods by which those companies pursue collection from
15 specific individuals;

16 B. The development of a plan, legislative or otherwise, which
17 provides remediation for consumers who are either improperly
18 targeted by these agencies due to mistaken identity or are being
19 improperly harassed for the debt that they do owe.

20 3. The commission may meet and hold hearings at the place or
21 places it designated during the sessions or recesses of the
22 Legislature. The commission shall issue a final report to the Gov-

23 error and Legislature no later than twelve months following its
24 organizational meeting on the need, viability and cost of recom-
25 mended changes in the laws and regulations surrounding debt col-
26 lection.

27 4. This act shall take effect immediately upon its passage.