

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas
2 84th General Assembly
3 Regular Session, 2003

A Bill

HOUSE BILL 2550

4
5 By: Representative Ledbetter

For An Act To Be Entitled

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9 AN ACT CONCERNING COLLECTION AGENCIES; AND FOR
10 OTHER PURPOSES.

Subtitle

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13 AN ACT CONCERNING COLLECTION AGENCIES.
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16 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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18 SECTION 1. Arkansas Code § 17-24-101 is amended to read as follows:
19 17-24-101. Definition.

20 As used in this chapter: ~~unless the context otherwise requires,~~
21 ~~“collection agency” means any person who works with or employs one (1) or~~
22 ~~more other persons, or any partnership, corporation, or association which~~
23 ~~engages in the collection of delinquent accounts, bills, or other forms of~~
24 ~~indebtedness, or any person, partnership, corporation, or association using a~~
25 ~~fictitious name or any name other than their own in the collection of their~~
26 ~~own accounts receivable, or any person, partnership, corporation, or~~
27 ~~association which solicits claims for collection.~~

28 (1) “Collection agency” means any person or entity that:

29 (A) Collects or attempts to collect, directly or indirectly,
30 debt owed or due another or asserted to be owed or due another;

31 (B) Directly or indirectly solicits for the collection debts
32 owed or due another or asserted to be owed or due another; and

33 (C) Any creditor who, in the process of collecting his own
34 debts, uses any name other than his own that would indicate that a third
35 person is collecting or attempting to collect such debts;

36 (2) “Board” means the State Board of Collection Agencies;



1 (3) "Communication" means the conveying of information regarding a
2 debt directly or indirectly to any person through any medium;

3 (4) "Consumer" means any natural person obligated or allegedly
4 obligated to pay any debt;

5 (5) "Consumer reporting agency" means any person or entity that for
6 monetary fees, dues, or on a cooperative nonprofit basis regularly engages in
7 whole or part in the practice of assembling or evaluating consumer credit
8 information or other information on consumers for the purpose of furnishing
9 consumer reports to third parties;

10 (6)(A) "Creditor" means any person who offers or extends credit
11 creating a debt or to whom a debt is owed.

12 (B) "Creditor" does not include any person to the extent that he
13 or she receives an assignment or transfer of a debt in default solely for the
14 purpose of facilitating collection of the debt for another;

15 (7) "Debt" means any obligation or alleged obligation of a consumer to
16 pay money arising out of a transaction in which the money, property,
17 insurance, or services that are the subject of the transaction are primarily
18 for personal, family, or household purposes whether or not the obligation has
19 been reduced to judgment;

20 (8)(A) "Debt collector" means any person engaged in or employed by any
21 business, the principal purpose of which is the collection of debts, or who
22 regularly collects or attempts to collect, directly or indirectly, debts owed
23 or due another.

24 (B) Notwithstanding the exclusion provided by § 17-24-102(a)(6),
25 "debt collector" includes any creditor who, in the process of collecting his
26 own debts, uses any name other than his own which would indicate that a third
27 person is collecting or attempting to collect the debts; and

28 (9) "Location information" means a consumer's place of abode and his
29 or her telephone number at the place or his or her place of employment.

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