

Hall of the House of Representatives
90th General Assembly - Regular Session, 2015
Amendment Form

Subtitle of House Bill No. 1668

TO REGULATE COLLECTION ACTIVITIES AND THE PRACTICES OF COLLECTION AGENCIES.

Amendment No. 1 to House Bill No. 1668

Amend House Bill No. 1668 as originally introduced:

Delete Representative Vines as a cosponsor of the bill

AND

Add Representative D. Douglas as a cosponsor of the bill

AND

Delete everything after the enacting clause and substitute the following:

"SECTION 1. Arkansas Code § 17-24-103 is amended to read as follows:
17-24-103. Penalties.

(a)(1) ~~Any~~ A collection agency that engages in the business activities of a collection agency without a ~~valid~~ license issued ~~pursuant to~~ under this chapter ~~and any person, partnership, corporation, or association that shall violate any provision of this chapter shall be deemed guilty of a misdemeanor and upon conviction shall~~ may be fined ~~in any sum of~~ not less than fifty dollars (\$50.00) nor more than five hundred dollars (\$500).

(2) Each day of ~~the~~ a violation of this chapter shall constitute ~~is~~ a separate offense.

(3) If a collection agency participates in collection activities without a license, the collection agency may pay a civil penalty to the State Board of Collection Agencies of ten thousand dollars (\$10,000) in order to be considered retroactively licensed under this chapter by the board.

(b)(1) ~~The State Board of Collection Agencies is authorized to board~~ may impose monetary fines as civil penalties to be paid for failure to comply with ~~the provisions of~~ this chapter or the ~~regulations~~ rules promulgated ~~pursuant thereto by the board under this chapter.~~

(2) ~~Prior to the imposition of monetary fines~~ Before imposing a monetary fine under subdivision (b)(1) of this section, the board shall provide notice and opportunity to be heard ~~in accordance with~~ according to hearing procedures in effect for the revocation, suspension, or refusal of licensure.

(3) The board may allow a collection agency to pay a civil penalty of ten thousand dollars (\$10,000) in order to be retroactively



licensed under this chapter.

(c) The board has exclusive jurisdiction over the rights and remedies or a violation of the rules under this chapter."

The Amendment was read _____

By: Representative Vines

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Chief Clerk