

Bill No. CS for SB 190

Amendment No.

<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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Senator McKay moved the following amendment to amendment (490680):

Senate Amendment (with title amendment)

On page 3, between lines 1 and 2,

insert:

Section 2. Section 832.10, Florida Statutes, is created to read:

832.10 Alternative to bad check diversion program; fees for collection.--

(1) In lieu of referring a case to the bad check diversion program, the state attorney may refer the case to a private debt collector or an independent contractor, for the purpose of diverting from prosecution certain persons accused of a violation of s. 832.04, s. 832.041, s. 832.05, or s. 832.06. The use of such debt collector or independent contractor shall not affect the authority of the state attorney to prosecute any person for any such violation.

(2) Upon receipt of the referral by the state attorney, the private debt collector or independent contractor

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1 shall have a period of 90 days during which to collect the
2 face value of the worthless check. If the full face value of
3 the worthless check is not collected by the private debt
4 collector or independent contractor within this time, the case
5 shall be referred back to the state attorney.

6 (3) A private debt collector or independent contractor
7 who collects and remits to the payee the full amount of a
8 worthless check under this section shall be entitled to a
9 reasonable collection fee not to exceed the service fees
10 authorized under s. 832.05(5) or 5 percent of the face amount
11 of the worthless check, whichever is greater, prior to the
12 debt collector or independent contractor collecting a fee from
13 the drawer of the check.

14 (4) The debt collector or independent contractor may
15 compromise the amount to be collected only with the express
16 consent of the payee of the check.

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19 ===== T I T L E A M E N D M E N T =====

20 And the title is amended as follows:

21 On page 3, line 22, after the semicolon

22

23 insert:

24 creating s. 832.10, F.S.; providing for the use
25 of private debt collectors;

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