Bill No. CS for SB 190

Amendment No. ____

	CHAMBER ACTION Have
	<u>Senate</u> . <u>House</u>
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11	Senator McKay moved the following amendment to amendment
12	(490680):
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14	Senate Amendment (with title amendment)
15	On page 3, between lines 1 and 2,
16	
17	insert:
18	Section 2. Section 832.10, Florida Statutes, is
19	created to read:
20	832.10 Alternative to bad check diversion program;
21	fees for collection
22	(1) In lieu of referring a case to the bad check
23	diversion program, the state attorney may refer the case to a
24	private debt collector or an independent contractor, for the
25	purpose of diverting from prosecution certain persons accused
26	of a violation of s. 832.04, s. 832.041, s. 832.05, or s.
27	832.06. The use of such debt collector or independent
28	contractor shall not affect the authority of the state
29	attorney to prosecute any person for any such violation.
30	(2) Upon receipt of the referral by the state
31	attorney, the private debt collector or independent contractor
•	1 4:10 PM 04/24/98 s0190c1c-26b01

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shall have a period of 90 days during which to collect the
    face value of the worthless check. If the full face value of
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   the worthless check is not collected by the private debt
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    collector or independent contractor within this time, the case
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    shall be referred back to the state attorney.
         (3) A private debt collector or independent contractor
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   who collects and remits to the payee the full amount of a
   worthless check under this section shall be entitled to a
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   reasonable collection fee not to exceed the service fees
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    authorized under s. 832.08(5) or 5 percent of the face amount
    of the worthless check, whichever is greater, prior to the
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   debt collector or independent contractor collecting a fee from
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    the drawer of the check.
          (4) The debt collector or independent contractor may
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   compromise the amount to be collected only with the express
    consent of the payee of the check.
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   ======= T I T L E A M E N D M E N T =========
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   And the title is amended as follows:
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          On page 3, line 22, after the semicolon
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23
   insert:
24
          creating s. 832.10, F.S.; providing for the use
25
           of private debt collectors;
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