By Senator Constantine

22-531-06

1	A bill to be entitled
2	An act relating to deferred presentment
3	transactions; amending s. 560.404, F.S.;
4	restricting the actions of a deferred
5	presentment provider under a deferred
6	presentment transaction agreement with a member
7	of the United States Armed Forces or the spouse
8	of a servicemember; prohibiting a deferred
9	presentment provider from entering into a
10	transaction agreement with a servicemember
11	under certain circumstances; providing an
12	effective date.
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14	Be It Enacted by the Legislature of the State of Florida:
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16	Section 1. Subsection (24) is added to section
17	560.404, Florida Statutes, to read:
18	560.404 Requirements for deferred presentment
19	transactions
20	(24)(a) A deferred presentment provider shall
21	determine whether a drawer is a member of the United States
22	Armed Forces. If a drawer is a servicemember or the spouse of
23	a servicemember, the deferred presentment provider:
24	1. May not garnish any military wages or salary;
25	2. May not conduct any collection activity for the
26	duration of the deployment when the servicemember has been
27	deployed to a combat post or a combat support post or for the
28	duration of the active duty when a servicemember of the United
29	States Reserve Forces or National Guard has been called to
30	active duty;
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1	3. May not contact the commanding officer of the
2	servicemember or anyone in the chain of command of the
3	servicemember in an effort to collect a payment obligation
4	under a deferred presentment transaction agreement entered
5	into with the servicemember or the spouse of the
6	servicemember; and
7	4. Shall be bound by the terms of any repayment
8	agreement that the deferred presentment provider negotiates
9	with respect to the drawer through military counselors or
10	third-party credit counselors.
11	(b) A deferred presentment provider may not enter into
12	a deferred presentment transaction agreement with a member of
13	the United States Armed Forces if a military base commander
14	declares that a specific business location of the deferred
15	presentment provider is off limits to military personnel and
16	formally notifies the deferred presentment provider of the
17	declaration.
18	Section 2. This act shall take effect July 1, 2006.
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21	SENATE SUMMARY
22	Restricts the actions of a deferred presentment provider under a deferred presentment transaction agreement with a
23	member of the United States Armed Forces or the spouse of a servicemember.
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