

1                                   A bill to be entitled  
 2           An act relating to deferred presentment transactions;  
 3           amending s. 560.404, F.S.; restricting the actions of a  
 4           deferred presentment provider under a deferred presentment  
 5           transaction agreement with a member of the United States  
 6           Armed Forces or the spouse of a servicemember; prohibiting  
 7           a deferred presentment provider from entering into a  
 8           transaction agreement with a servicemember under certain  
 9           circumstances; providing an effective date.

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11 Be It Enacted by the Legislature of the State of Florida:

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13           Section 1. Subsection (24) is added to section 560.404,  
 14 Florida Statutes, to read:

15           560.404 Requirements for deferred presentment  
 16 transactions.--

17           (24)(a) A deferred presentment provider shall determine  
 18 whether a drawer is a member of the United States Armed Forces.  
 19 If a drawer is a servicemember or the spouse of a servicemember,  
 20 the deferred presentment provider:

21           1. May not garnish any military wages or salary;

22           2. May not conduct any collection activity for the  
 23 duration of the deployment when the servicemember has been  
 24 deployed to a combat post or a combat support post or for the  
 25 duration of the active duty when a servicemember of the United  
 26 States Reserve Forces or National Guard has been called to  
 27 active duty;

28           3. May not contact the commanding officer of the

29 servicemember or anyone in the chain of command of the  
30 servicemember in an effort to collect a payment obligation under  
31 a deferred presentment transaction agreement entered into with  
32 the servicemember or the spouse of the servicemember; and

33 4. Shall be bound by the terms of any repayment agreement  
34 that the deferred presentment provider negotiates with respect  
35 to the drawer through military counselors or third-party credit  
36 counselors.

37 (b) A deferred presentment provider may not enter into a  
38 deferred presentment transaction agreement with a member of the  
39 United States Armed Forces if a military base commander declares  
40 that a specific business location of the deferred presentment  
41 provider is off limits to military personnel and formally  
42 notifies the deferred presentment provider of the declaration.

43 Section 2. This act shall take effect July 1, 2006.