



499118

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/17/2010	.	
	.	
	.	
	.	

The Committee on Banking and Insurance (Bennett) recommended the following:

Senate Amendment

Delete lines 1561 - 1573
and insert:

(e) A fee or contribution for debt settlement services which exceeds 40 percent of the savings realized which is defined to be the difference between the amount of enrolled debt and the amount paid to the creditor in discharge of the enrolled debt, less any fees collected pursuant to paragraphs (b), (c), or (d). However, such fees collected for debt settlement services, in the aggregate, may not exceed 20 percent of the enrolled debt. For service contracts requiring fees to be paid



499118

13 on a monthly basis, the payment of such fees must be spread
14 uniformly over at least 18 months or 50 percent of the term of
15 the contract, whichever is greater.

16 (f) A fee or contribution unless the debt management
17 services or debt settlement services result in a settlement,
18 discharge, or modification of the debt on terms more favorable
19 to the debtor than the terms of the original agreement between
20 the debtor and creditor.

21 (g) Any fee or contribution for debt management, unless no
22 other payment has been received, directly or indirectly, from
23 the debtor for such services. Fees authorized under this
24 subsection may not be a part of or included in the calculation
25 of total enrolled debt.