

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	<u> </u>	(Y/N)
ADOPTED AS AMENDED	<u> </u>	(Y/N)
ADOPTED W/O OBJECTION	<u> </u>	(Y/N)
FAILED TO ADOPT	<u> </u>	(Y/N)
WITHDRAWN	<u> </u>	(Y/N)
OTHER	<u> </u>	

1 Committee/Subcommittee hearing bill: Commerce Committee
 2 Representative Latvala offered the following:

Amendment (with title amendment)

5 Remove everything after the enacting clause and insert:
 6 Section 1. Section 559.715, Florida Statutes, is amended
 7 to read:

8 559.715 Assignment of consumer debts.—

9 (1) If a creditor assigns ~~This part does not prohibit the~~
 10 ~~assignment, by a creditor, of the right to bill and collect a~~
 11 ~~consumer debt. However,~~ the assignee must give the debtor
 12 written notice of such assignment as soon as practical after the
 13 assignment is made. If the debt is in default, the written
 14 notice of such assignment must be made, ~~but~~ at least 30 days
 15 before the assignee takes any action to collect the debt.

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16 Notwithstanding such 30-day period, for a debt that is in
17 default, the assignee may:

18 (a) Provide the disclosure required by 15 U.S.C. s.
19 1692e(11).

20 (b) Provide the notice required by 15 U.S.C. s. 1692g.

21 (c) Accept payment from the debtor so long as the debtor
22 initiates the payment.

23 (2) The assignee is a real party in interest and may bring
24 an action in a court of competent jurisdiction to collect a debt
25 that has been assigned to the assignee and is in default. Such
26 action is subject to the 30-day period specified in subsection
27 (1).

28 Section 2. This act shall take effect July 1, 2019.

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31 **T I T L E A M E N D M E N T**

32 Remove everything before the enacting clause and insert:

33 An act relating to assignment of consumer debt;
34 amending s. 559.715, F.S.; authorizing an assignee to
35 take certain actions for debts that are in default;
36 revising when an assignee may bring an action to
37 collect a debt; specifying that such action is subject
38 to certain requirements; providing an effective date.