CS/HB 1031

1	A bill to be entitled
2	An act relating to debt relief services; amending s.
3	817.803, F.S.; providing an exception from specified
4	provisions for telemarketers and sellers who provide
5	debt relief services under certain circumstances;
6	defining terms; providing an effective date.
7	
8	Be It Enacted by the Legislature of the State of Florida:
9	
10	Section 1. Section 817.803, Florida Statutes, is amended
11	to read:
12	817.803 ExceptionsNothing in This part <u>does not apply</u>
13	applies to:
14	(1) Any debt management or credit counseling services
15	provided in the practice of law in this state $\underline{\cdot} \dot{\boldsymbol{\cdot}}$
16	(2) Any person who engages in debt adjustment to adjust
17	the indebtedness owed to such person <u>.; or</u>
18	(3) <u>Any of</u> the following entities or their subsidiaries:
19	(a) The Federal National Mortgage Association. \cdot
20	(b) The Federal Home Loan Mortgage Corporation. $\dot{\cdot}$
21	(c) The Florida Housing Finance Corporation, a public
22	corporation created in s. 420.504 .+
23	(d) A bank, bank holding company, trust company, savings
24	and loan association, credit union, credit card bank, or savings
25	bank that is regulated and supervised by the Office of the
	Page 1 of 2

CODING: Words stricken are deletions; words underlined are additions.

2024

CS/HB 1031

26 Comptroller of the Currency, the Office of Thrift Supervision, 27 the Federal Reserve, the Federal Deposit Insurance Corporation, 28 the National Credit Union Administration, the Office of Financial Regulation of the Department of Financial Services, or 29 30 any state banking regulator.+ (e) A consumer reporting agency as defined in the Federal 31 Fair Credit Reporting Act, 15 U.S.C. ss. 1681-1681y, as it 32 existed on April 5, 2004.; or 33 34 (f) Any subsidiary or affiliate of a bank holding company, 35 its employees and its exclusive agents acting under written 36 agreement. 37 (4) (a) Any telemarketer or seller who provides any debt relief service within the scope of the Telemarketing and 38 39 Consumer Fraud and Abuse Prevention Act, 15 U.S.C. ss. 6101-40 6108, and the Telemarketing Sales Rule, 16 C.F.R. part 310, and 41 who therefore is required to comply with such federal 42 regulation, if such telemarketer or seller does not receive from 43 the debtor and disburse to a creditor any money or other thing 44 of value, in accordance with the definition of debt management 45 services under s. 817.801(4)(b). (b) As used in this subsection, the terms "debt relief 46 47 service," "seller," and "telemarketer" have the same meaning as 48 in 16 C.F.R. s. 310.2. 49 Section 2. This act shall take effect July 1, 2024.

Page 2 of 2

CODING: Words stricken are deletions; words underlined are additions.

hb1031-01-c1

2024