

ASSEMBLY BILL

No. 1353

Introduced by Assembly Member Krekorian

February 27, 2009

An act to amend Section 1788.1 of the Civil Code, relating to debt collection.

LEGISLATIVE COUNSEL'S DIGEST

AB 1353, as introduced, Krekorian. Debt collection.

The Rosenthal Fair Debt Collection Practices Act regulates debt collectors and debt collection practices, and states that the purpose of the act is to prohibit debt collectors from engaging in unfair or deceptive acts or practices and to require debtors to act fairly in entering into and honoring these debts.

This bill would make nonsubstantive, technical changes to these provisions.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 1788.1 of the Civil Code is amended to
2 read:
3 1788.1. (a) The Legislature makes the following findings:
4 (1) The banking and credit system and grantors of credit to
5 consumers are dependent upon the collection of just and owing
6 debts. Unfair or deceptive collection practices undermine the public
7 confidence which is essential to the continued functioning of the

1 banking and credit system and sound extensions of credit to
2 consumers.

3 (2) There is need to ensure that debt collectors and debtors
4 exercise their responsibilities to one another with fairness, honesty
5 and due regard for the rights of the other.

6 (b) It is the purpose of this title to prohibit debt collectors from
7 engaging in unfair or deceptive acts or practices in the collection
8 of consumer-~~debts~~ *debt* and to require debtors to act fairly in
9 entering into and honoring-~~such~~ *these* debts, as specified in this
10 title.