

SENATE BILL 160

11, I3

4lr0948
CF 4lr0949

By: **Senators Pugh, Middleton, Benson, Conway, Ferguson, Frosh,
Jones-Rodwell, King, Manno, McFadden, and Montgomery**

Introduced and read first time: January 13, 2014

Assigned to: Finance

A BILL ENTITLED

1 AN ACT concerning

2 **Commercial Law – Debt Settlement Services – Sunset and Reporting**
3 **Extension**

4 FOR the purpose of extending to a certain date a certain reporting requirement of a
5 registered debt settlement services provider; extending the deadline for certain
6 reporting requirements of the Office of the Commissioner of Financial
7 Regulation in the Department of Labor, Licensing, and Regulation and the
8 Consumer Protection Division in the Office of the Attorney General; extending
9 the termination date for the Maryland Debt Settlement Services Act; extending
10 the expiration of certain registrations or renewal of registrations for a debt
11 settlement services provider; and generally relating to debt settlement services
12 and debt settlement services providers.

13 BY repealing and reenacting, with amendments,
14 Chapter 280 of the Acts of the General Assembly of 2011
15 Section 2(a), 3, and 4

16 BY repealing and reenacting, with amendments,
17 Chapter 281 of the Acts of the General Assembly of 2011
18 Section 2(a), 3, and 4

19 BY repealing and reenacting, with amendments,
20 Article – Financial Institutions
21 Section 12–1009
22 Annotated Code of Maryland
23 (2011 Replacement Volume and 2013 Supplement)

24 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
25 MARYLAND, That the Laws of Maryland read as follows:

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **Chapter 280 of the Acts of 2011**

2 SECTION 2. AND BE IT FURTHER ENACTED, That:

3 (a) On or before March 15 of each year beginning with March 15, 2012, and
4 ending with March 15, [2014] **2015**, each debt settlement services provider that is
5 registered with the Commissioner of Financial Regulation, as required under Section 1
6 of this Act, shall report to the Commissioner on the debt settlement services business
7 the registrant conducted during the preceding calendar year.

8 SECTION 3. AND BE IT FURTHER ENACTED, That, on or before December 1,
9 [2014] **2015**, the Office of the Commissioner of Financial Regulation in the
10 Department of Labor, Licensing, and Regulation, in consultation with the Consumer
11 Protection Division of the Office of the Attorney General, shall report, in accordance
12 with § 2-1246 of the State Government Article, to the Senate Finance Committee and
13 the House Economic Matters Committee on its recommendations regarding changes to
14 the Maryland Debt Settlement Services Act, including:

15 (1) whether to transition from a registration requirement to a
16 licensure requirement for debt settlement services providers; and

17 (2) whether a cap on debt settlement services fees would be beneficial
18 to consumers and fair to the debt settlement services industry.

19 SECTION 4. AND BE IT FURTHER ENACTED, That this Act shall take effect
20 October 1, 2011. It shall remain effective for a period of [3] 4 years and 9 months and,
21 at the end of June 30, [2015] **2016**, with no further action required by the General
22 Assembly, this Act shall be abrogated and of no further force and effect.

23 **Chapter 281 of the Acts of 2011**

24 SECTION 2. AND BE IT FURTHER ENACTED, That:

25 (a) On or before March 15 of each year beginning with March 15, 2012, and
26 ending with March 15, [2014] **2015**, each debt settlement services provider that is
27 registered with the Commissioner of Financial Regulation, as required under Section 1
28 of this Act, shall report to the Commissioner on the debt settlement services business
29 the registrant conducted during the preceding calendar year.

30 SECTION 3. AND BE IT FURTHER ENACTED, That, on or before December 1,
31 [2014] **2015**, the Office of the Commissioner of Financial Regulation in the
32 Department of Labor, Licensing, and Regulation, in consultation with the Consumer
33 Protection Division of the Office of the Attorney General, shall report, in accordance
34 with § 2-1246 of the State Government Article, to the Senate Finance Committee and
35 the House Economic Matters Committee on its recommendations regarding changes to
36 the Maryland Debt Settlement Services Act, including:

