

117TH CONGRESS
2D SESSION

H. R. 6814

To apply the Fair Debt Collection Practices Act to small business debt to the same extent as such Act applies to consumers, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 22, 2022

Mr. LAWSON of Florida introduced the following bill; which was referred to the Committee on Financial Services

A BILL

To apply the Fair Debt Collection Practices Act to small business debt to the same extent as such Act applies to consumers, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Small Business Fair
5 Debt Collection Protection Act”.

6 **SEC. 2. FAIR DEBT COLLECTION PRACTICES FOR LOANS TO**
7 **SMALL BUSINESSES.**

8 (a) IN GENERAL.—The Fair Debt Collection Prac-
9 tices Act (15 U.S.C. 1692 et seq.) is amended—

10 (1) in section 803—

1 (A) by amending paragraph (5) to read as
2 follows:

3 “(5) The term ‘debt’ means any obligation or
4 alleged obligation to pay money arising out of a
5 transaction, whether or not such obligation has been
6 reduced to judgment.”; and

7 (B) by adding at the end the following new
8 paragraph:

9 “(9) The term ‘commercial credit bureau’
10 means any person which, for monetary fees, dues, or
11 on a cooperative nonprofit basis, regularly engages
12 in whole or in part in the practice of assembling or
13 evaluating commercial credit information or other
14 information on businesses for the purpose of fur-
15 nishing credit reports to third parties, and which
16 uses any means or facility of interstate commerce
17 for the purpose of preparing or furnishing credit re-
18 ports.”;

19 (2) by redesignating section 819 as section 820;
20 and

21 (3) by inserting after section 818 the following:

22 **“§ 819. Application to small business debt**

23 “(a) IN GENERAL.—This Act shall apply to small
24 business debt to the same extent as this Act applies to
25 debt of consumers.

1 “(b) SMALL BUSINESS DEBT DEFINED.—The term
2 ‘small business debt’—

3 “(1) means any non-equity obligation or alleged
4 obligation of a partnership, corporation, trust, es-
5 tate, cooperative, association, government or govern-
6 mental subdivision or agency, or other entity that is
7 less than \$5,000,000; and

8 “(2) does not include any obligation or alleged
9 obligation—

10 “(A) of an individual; or

11 “(B) that is primarily for personal, family,
12 or household purposes.”.

13 (b) CLERICAL AMENDMENT.—The table of contents
14 for the Fair Debt Collection Practices Act is amended by
15 striking the item relating to section 819 and inserting the
16 following:

“819. Application to small business debt.
“820. Effective date.”.

17 (c) CONFORMING AMENDMENTS.—The Fair Debt
18 Collection Practices Act (15 U.S.C. 1692 et seq.) is
19 amended—

20 (1) in section 805(b), by inserting “or a com-
21 mercial credit bureau (as applicable)” after “con-
22 sumer reporting agency”;

23 (2) in section 806(3)—

1 (A) by striking “consumers who” and in-
2 sserting “consumers or small businesses that”;
3 and

4 (B) by inserting “or to a commercial credit
5 bureau (as applicable),” after “consumer re-
6 porting agency”; and

7 (3) in section 807(16), by inserting “or a com-
8 mercial credit bureau” after “this Act”.

○