AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO H.R. 6814
OFFERED BY MR. LAWSON OF FLORIDA

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

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

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

(a) IN GENERAL.—The Fair Debt Collection Practices Act (15 U.S.C. 1692 et seq.) is amended—

(1) in section 803, by adding at the end the following:

“(9) The term ‘commercial credit bureau’ means any person which, for monetary fees, dues, or on a cooperative nonprofit basis, regularly engages in whole or in part in the practice of assembling or evaluating commercial credit information or other information on businesses for the purpose of furnishing credit reports to third parties, and which uses any means or facility of interstate commerce
for the purpose of preparing or furnishing credit reports.”;

(2) by redesignating section 819 as section 820;

and

(3) by inserting after section 818 the following:

“§ 819. Application to small business debt

“(a) In General.—This Act shall apply to small business debt to the same extent as this Act applies to debt of consumers.

“(b) Definitions.—In this section:

“(1) Small Business.—The term ‘small business’ has the meaning given the term ‘small business concern’ under section 3 of the Small Business Act (15 U.S.C. 632).

“(2) Small Business Debt.—The term ‘small business debt’ means any obligation or alleged obligation of a small business that is less than $2,500,000.”.

(b) Clerical Amendment.—The table of contents for the Fair Debt Collection Practices Act is amended by striking the item relating to section 819 and inserting the following:

“819. Application to small business debt.

“820. Effective date.”.
(c) CONFORMING AMENDMENTS.—The Fair Debt Collection Practices Act (15 U.S.C. 1692 et seq.) is amended—

(1) in section 805(b), by inserting “or a commercial credit bureau (as applicable)” after “consumer reporting agency”; 

(2) in section 806(3)—

(A) by striking “consumers who” and inserting “consumers or small businesses that”; and 

(B) by inserting “or to a commercial credit bureau (as applicable),” after “consumer reporting agency”; and 

(3) in section 807(16), by inserting “or a commercial credit bureau” after “this Act”.

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