

[DISCUSSION DRAFT]

116TH CONGRESS
1ST SESSION

H. R. _____

To amend the Fair Debt Collection Practices Act to remove the exclusion for creditors, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

M. _____ introduced the following bill; which was referred to the Committee on _____

A BILL

To amend the Fair Debt Collection Practices Act to remove the exclusion for creditors, 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 “Equal Protections for
5 Debt Collection Practices Act”.

6 **SEC. 2. REMOVAL OF THE CREDITOR EXCLUSION.**

7 (a) IN GENERAL.—Section 803(6) of the Fair Debt
8 Collection Practices Act (15 U.S.C. 1692a(6)) is amend-
9 ed—

1 (1) by striking “Notwithstanding the exclusion
2 provided by clause (F) of the last sentence of this
3 paragraph, the term includes any creditor who, in
4 the process of collecting his own debts, uses any
5 name other than his own which would indicate that
6 a third person is collecting or attempting to collect
7 such debts.”;

8 (2) by striking subparagraph (A);

9 (3) by redesignating subparagraphs (B)
10 through (F) as subparagraphs (A) through (E), re-
11 spectively;

12 (4) in subparagraph (D), as so redesignated, by
13 adding “or” at the end; and

14 (5) in subparagraph (E), as so redesignated, by
15 striking “(ii) concerns a debt which was originated
16 by such person; (iii) concerns a debt which was not
17 in default at the time it was obtained by such per-
18 son; or (iv)” and inserting “or (ii)”.

19 (b) **RULE OF CONSTRUCTION.**—The amendments
20 made by this section may not be construed as altering,
21 diminishing, or impeding the authority of the Bureau of
22 Consumer Financial Protection to prohibit the use of un-
23 fair, deceptive, or abusive acts or practices under section
24 1031 of the Consumer Financial Protection Act of 2010.