

HOUSE BILL No. 2689

By Committee on Agriculture and Natural Resources

2-12

1 AN ACT concerning consumer protection; relating to debt collection;
2 contact by debt collection solicitors.

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4 *Be it enacted by the Legislature of the State of Kansas:*

5 New Section 1. (a) As used in this section:

6 (1) "Debt collection communication" means contact in the form of a
7 call, letter, electronic message or any other type of contact made primarily
8 in connection with an existing debt or contract, payment or performance of
9 which has not been completed at the time of such contact; and

10 (2) "debt collection solicitor" means any natural person, firm,
11 organization, partnership, association or corporation who makes or causes
12 to be made a debt collection communication, including, but not limited to,
13 calls made by use of automatic dialing-announcing device.

14 (b) A debt collection solicitor making a debt collection
15 communication shall promptly discontinue the communication and cease
16 further debt collection communication if the person who receives the
17 communication provides information indicating:

18 (1) The debt collection solicitor has mistaken the identity of such
19 person; or

20 (2) the person does not owe the debt that is the subject of the
21 communication.

22 (c) Any violation of this section is an unconscionable act or practice
23 under the Kansas consumer protection act.

24 (d) This section shall be part of and supplemental to the Kansas
25 consumer protection act.

26 Sec. 2. This act shall take effect and be in force from and after its
27 publication in the statute book.