

SENATE AMENDMENTS
(Proposed by Senator POU)

to

SENATE, No. 775

(Sponsored by Senators POU and CRYAN)

REPLACE SECTION 1 TO READ:

1. (New section) As used in sections 1, 'and' 2 '[, and 3]' of this act:

"Affected person" means a person who is a resident of this State and has suffered financial hardship as a result of the coronavirus disease 2019 pandemic.

"Covered coronavirus period" means the period beginning with the Public Health Emergency and State of Emergency declared by the Governor in Executive Order 103 of 2020 and extending 120 days following the end of that public health emergency and state of emergency.

'["Creditor" means any person and any agent, servant, employee, or attorney of a person engaged in collecting a debt owed or alleged to be owed to the person by a debtor and shall also include a buyer of delinquent debt who hires a third party or an attorney to collect a debt. A person shall not be deemed to be engaged in collecting a debt, if the person's activities are solely for the purpose of serving legal process on another person in connection with the judicial enforcement of a debt.

"Debt collector" means any person or business whose principal purpose is the collection of a debt, or who regularly collects or attempts to collect, directly or indirectly, a debt owed or due or asserted to be owed or due another. The term debt collector shall also include any person who buys or acquires debt that is in default at the time of purchase or acquisition and who seeks to collect that debt. The term debt collector shall include a creditor who, in the process of collecting the creditor's own debt, uses any name other than the creditor's own name which would indicate that a third person is collecting or attempting to collect the debt. The term debt collector

shall also include a person in a business the principal purpose of which is the enforcement of security interests.]¹

"User of a consumer report" means any person or entity that is furnished a consumer report for a purpose that is permissible pursuant to section 4 of P.L.1997, c.172 (C.56:11-31).

OMIT SECTION 3 IN ITS ENTIRETY

RENUMBER SECTIONS 4 THROUGH 12 AS SECTIONS 3 THROUGH 11

REPLACE SECTION 13 TO READ:

'[13.] 12.' This act shall take effect immediately. Sections '[5] 4.' through '[8] 7.' of this act shall apply to all health benefits plans currently in effect in the State, or that are delivered, issued, executed or renewed in this State, or approved for issuance or renewal in this State by the Commissioner of Banking and Insurance, on or after the effective date of this act.

STATEMENT

These amendments remove the provisions of the bill that impose certain requirements on creditors and debt collectors that limit the collection of debt during the covered coronavirus period.