

SB216 L.008

SENATE COMMITTEE OF REFERENCE AMENDMENT

Committee on Judiciary.SB17-216 be amended as follows:

1 Amend printed bill, page 3, after line 27 insert:

2 "SECTION 4. In Colorado Revised Statutes, 12-14-111, add (2)
3 and (3) as follows:4 **12-14-111. Legal actions by collection agencies.** (2) PRIOR TO
5 ENTRY OF A DEFAULT JUDGMENT AGAINST A CONSUMER IN A LEGAL
6 ACTION ON A DEBT OWNED BY A DEBT BUYER, THE PLAINTIFF SHALL FILE
7 WITH THE COURT EVIDENCE THAT SATISFIES THE REQUIREMENTS OF RULES
8 803(6) AND 902(11) OF THE COLORADO RULES OF EVIDENCE OR IS
9 OTHERWISE AUTHORIZED BY LAW OR RULE THAT ESTABLISHES THE
10 AMOUNT AND NATURE OF THE DEBT AND INCLUDE:11 (a) THE ORIGINAL ACCOUNT NUMBER AT CHARGE-OFF;
12 (b) THE ORIGINAL CREDITOR AT CHARGE-OFF;
13 (c) THE AMOUNT DUE AT CHARGE-OFF OR, IF THE BALANCE HAS
14 NOT BEEN CHARGED OFF, AN ITEMIZATION OF THE AMOUNT CLAIMED TO BE
15 OWED, INCLUDING THE PRINCIPAL, INTEREST, FEES, AND OTHER CHARGES
16 OR REDUCTIONS FROM PAYMENT MADE OR OTHER CREDITS;
17 (d) AN ITEMIZATION OF POST CHARGE-OFF ADDITIONS, IF ANY;
18 (e) (I) THE DATE OF THE LAST PAYMENT, IF APPLICABLE; OR
19 (II) THE DATE OF THE LAST TRANSACTION; AND
20 (f) IF THE ACCOUNT IS NOT A REVOLVING CREDIT ACCOUNT, THE
21 DATE THE DEBT WAS INCURRED.22 (3) IN THE ABSENCE OF EVIDENCE REQUIRED BY SUBSECTIONS
23 (2)(a) OR (2)(b) OF THIS SECTION, AN AFFIDAVIT DOES NOT SATISFY THE
24 REQUIREMENTS OF THESE SUBSECTIONS."

25 Renumber succeeding sections accordingly.

26 Page 6, after line 17 insert:

27 "SECTION 12. **Effective date.** This act takes effect upon
28 passage; except that Section 4 of this act takes effect January 1, 2018."

29 Renumber succeeding section accordingly.

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