

**First Regular Session
Sixty-sixth General Assembly
STATE OF COLORADO**

REREVISED

*This Version Includes All Amendments
Adopted in the Second House*

LLS NO. 07-0855.01 Christy Chase

HOUSE BILL 07-1327

HOUSE SPONSORSHIP

Stephens,

SENATE SPONSORSHIP

Morse,

House Committees

Business Affairs and Labor

Senate Committees

Business, Labor and Technology

A BILL FOR AN ACT

101 **CONCERNING THE METHOD BY WHICH A CREDITOR THAT PROVIDES**
102 **PERIODIC STATEMENTS TO ITS CONSUMERS IS TO NOTIFY A**
103 **CONSUMER THAT A DELINQUENCY CHARGE HAS BEEN ASSESSED.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not necessarily reflect any amendments that may be subsequently adopted.)

Allows a creditor that provides periodic statements for each installment payment owed by a consumer to notify the consumer of the assessment of a delinquency charge on or with the next periodic statement provided to the consumer after the charge has been assessed.

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.

SENATE
3rd Reading Unamended
April 12, 2007

SENATE
2nd Reading Unamended
April 11, 2007

HOUSE
3rd Reading Unamended
March 16, 2007

HOUSE
2nd Reading Unamended
March 15, 2007

1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1.** 5-2-203 (4), Colorado Revised Statutes, is amended
3 to read:

4 **5-2-203. Delinquency charges.** (4) (a) A creditor who has
5 imposed a delinquency charge shall notify the consumer in writing of the
6 amount of the delinquency charge assessed AS FOLLOWS:

7 (I) Before the due date of the next scheduled payment;

8 (II) IF THE CREDITOR PROVIDES THE CONSUMER WITH PERIODIC
9 STATEMENTS FOR EACH INSTALLMENT, ON OR WITH THE NEXT PERIODIC
10 STATEMENT PROVIDED TO THE CONSUMER AFTER THE DELINQUENCY
11 CHARGE HAS BEEN ASSESSED; or

12 (III) For a revolving credit account for which a credit card is
13 issued and that is not secured by an interest in land, before, on, or with the
14 next periodic statement after the delinquency charge has been assessed.

15 (b) A creditor shall not assess a delinquency charge unless the
16 delinquency charge is assessed within thirty days after the scheduled due
17 date of any installment not paid in full or, for a revolving credit account
18 for which a credit card is issued and that is not secured by an interest in
19 land, within ninety days after the scheduled due date of the delinquent
20 minimum payment.

21 **SECTION 2. Safety clause.** The general assembly hereby finds,
22 determines, and declares that this act is necessary for the immediate
23 preservation of the public peace, health, and safety.