



Colorado Legislative Council Staff Fiscal Note

NO FISCAL IMPACT

Drafting Number: LLS 11-0661	Date: February 14, 2011
Prime Sponsor(s): Rep. Gardner B. Sen. Bacon	Bill Status: House Economic & Business Development Fiscal Analyst: Harry Zeid (303-866-4753)

TITLE: CONCERNING THE "UNIFORM DEBT-MANAGEMENT SERVICES ACT".

Summary of Legislation

Agreements for debt-management services between individuals and debt-management services providers are regulated by the Department of Law through the "Uniform Debt-Management Services Act." House Bill 11-1206 amends the act to conform to relevant debt relief service rules, promulgated by the Federal Trade Commission (FTC), that took effect in 2010.

The bill takes effect July 1, 2011, and applies to conduct occurring on or after that date.

Assessment

The bill will not affect state or local revenue or expenditures, and is assessed at no fiscal impact. Under the bill, the Attorney General is given additional administrative and legal remedies to seek a civil penalty of up to \$10,000 per violation of the Uniform Debt-Management Services Act in district court. The Attorney General can already impose fines without the court under current law, and the court already has the discretion to impose a fine. Therefore, the authority to seek an additional civil penalty is not expected to create new court filings or fiscal impact on the courts or on the Department of Law.

Certified public accountants who provide debt-management services will be subject to the requirements of the act. Insurance requirements of those seeking application to become debt-management services providers is also modified by the bill. However, neither of these changes will create fiscal impact or affect the regulatory responsibilities of the Department of Regulatory Agencies.

Departments Contacted

Judicial Law Regulatory Agencies