

Last Week at the Capitol

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by

Cliff Berg

Governmental Advocate

With the deadline for final action on SB 890 (Leno), the Fair Debt Buyers Practices Act, looming for this Tuesday, January 31, negotiations continued all weekend and into late Monday on amendments. Last-minute issues popped up, but at 5:30 p.m. Monday evening, January 30, the bill's sponsors, CAC, and the Debt Buyers reached an agreement. We removed our opposition Tuesday morning, January 31, and the deal was approved by the Senate on Tuesday, January 31, 22 to 14. Key elements of the agreement were:

- revising the damages provisions to mirror the Rosenthal Act,
- ensuring damages were not cumulative,
- cleaning up class action liability,
- a safe harbor,
- tightening the definition of debt buyer,
- fixing the statute of limitations provisions,
- fixing the document requirement prior to filing a law suit,
- and pushing out the effective date of the new requirements.

We will have a more detailed review of the new requirements in the magazine. The bill now goes to the State Assembly.