

HOUSE COMMITTEE OF REFERENCE REPORT

Chair of Committee

April 10, 2024
Date

Committee on Judiciary.

After consideration on the merits, the Committee recommends the following:

HB24-1380 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

1 Amend printed bill, page 3, strike lines 4 through 7 and substitute "IF THE
2 DEBT COLLECTOR, COLLECTION AGENCY, OR DEBT PURCHASER DOES NOT
3 COMPLY WITH THE REQUIREMENTS OF SECTION 5-16-111;"

4 Page 3, after line 14 insert:

5 "SECTION 2. In Colorado Revised Statutes, 5-16-111, **add** (1.5)
6 as follows:

7 **5-16-111. Legal actions by collection agencies.** (1.5) A DEBT
8 COLLECTOR OR COLLECTION AGENCY THAT IS NOT A CREDITOR OR DEBT
9 BUYER SHALL NOT BE THE NAMED PLAINTIFF IN A LEGAL ACTION ON A
10 DEBT AGAINST A CONSUMER UNLESS THE DEBT COLLECTOR OR
11 COLLECTION AGENCY:

12 (a) ENSURES THAT THE NAME OF THE PLAINTIFF IN THE CASE
13 CAPTION IS LISTED AS THE NAME OF THE ORIGINAL CREDITOR OR ASSIGNOR
14 AND THE NAME OF THE DEBT COLLECTOR OR COLLECTION AGENCY, IN
15 THAT ORDER; AND

16 (b) HAS A COMPLETE AND EFFECTIVE ASSIGNMENT, INCLUDING
17 COMPLETE SETTLEMENT AUTHORITY AND AUTHORITY TO RESOLVE THE
18 LITIGATION."

19 Renumber succeeding sections accordingly.

20 Page 8, line 21, strike "5" and substitute "6".