

CHAPTER 647

(House Bill 723)

AN ACT concerning

Debt Collection Agencies

FOR the purpose of redefining what attorneys are and are not debt collection agencies.

BY repealing and reenacting, with amendments,

Article 56 - Licenses
Section 323
Annotated Code of Maryland
(1983 Replacement Volume)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article 56 - Licenses

323.

(a) In this subtitle, the following words have the meanings indicated.

(b) "Collection agency" means all persons directly or indirectly engaged in the business of soliciting from, or collecting for others any claim due or asserted to be owed or due, to a seller, lender, holder, or creditor, arising from transactions involving a Maryland resident seeking or acquiring real or personal property, services, money, or credit for personal, family, or household purposes.

(1) "Collection agency" includes any person who gives away, sells, or attempts to give away or sell to others, any system or series of letters or forms used in the collection of claims which assert or indicate, directly or indirectly that the claim is being asserted or collected by any person other than the creditor or owner of the claim.

(2) "Collection agency" does not include any:

(i) Regular employee of a creditor acting under the general direction and control of that creditor in the collection of a claim owned by that creditor;

(ii) Regular employee of a collection agency licensed under this subtitle;