

113TH CONGRESS
1ST SESSION

H. R. 3402

To improve the Fair Debt Collection Practices Act by explicitly barring debt collectors from bringing legal action on a debt in which the statute of limitations has expired against any consumer, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

OCTOBER 30, 2013

Mr. COHEN (for himself, Mr. CONYERS, Ms. NORTON, and Ms. MOORE) introduced the following bill; which was referred to the Committee on Financial Services

A BILL

To improve the Fair Debt Collection Practices Act by explicitly barring debt collectors from bringing legal action on a debt in which the statute of limitations has expired against any consumer, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Fair Debt Collection
5 Improvement Act”.

6 **SEC. 2. COLLECTION OF TIME-BARRED DEBT.**

7 (a) **LEGAL ACTIONS ON TIME-BARRED DEBT.**—Sec-
8 tion 811 of the Fair Debt Collection Practices Act (15

1 U.S.C. 1692i) is amended by adding at the end the fol-
2 lowing:

3 “(c) A debt collector may not bring, or threaten to
4 bring, legal action against any consumer on a debt in
5 which the statute of limitations has expired.”.

6 (b) COMMUNICATION WITH CONSUMERS WITH TIME-
7 BARRED DEBT.—Section 805 of such Act (15 U.S.C.
8 1692c) is amended—

9 (1) by redesignating subsection (d) as sub-
10 section (e); and

11 (2) by inserting after subsection (c) the fol-
12 lowing:

13 “(d) COMMUNICATION WITH CONSUMERS WITH
14 TIME-BARRED DEBT.—In connection with the collection
15 of debt in which the statute of limitations has expired,
16 a debt collector shall disclose to a consumer the following:

17 “(1) The debt has been transferred to the debt
18 collector.

19 “(2) The creditor no longer holds the debt.

20 “(3) As a result of the expiration of the statute
21 of limitations with respect to such debt, the debt col-
22 lector may not bring legal action against the con-
23 sumer to collect such debt.

1 “(4) Any payment by the consumer towards the
2 debt may cause the statute of limitations for such
3 debt to reset.”.

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