

House File 2326

H-8274

1 Amend House File 2326 as follows:

2 1. Page 1, after line 19 by inserting:

3 <Sec. _____. Section 533A.8, Code 2026, is amended by adding
4 the following new subsection:

5 NEW SUBSECTION. 10A. If a debtor who has contracted with
6 a licensee to settle a debt has executed a debt settlement
7 agreement with a creditor to settle such debt and has made at
8 least one payment pursuant to that agreement, and the debtor
9 subsequently fails to complete the payment terms required under
10 that debt settlement agreement, the licensee shall attempt to
11 renegotiate, resolve, reduce, or otherwise alter the terms of
12 the debt with the creditor and shall not request or receive
13 an additional fee from the debtor for any additional debt
14 management service provided by the licensee for that debt.
15 This subsection does not prohibit a licensee from requesting
16 or receiving payment of any outstanding balance of the fee
17 required by the contract between the licensee and debtor for
18 that debt.>

19 2. Page 2, by striking line 9 and inserting <amount, not
20 to exceed thirty percent of the total amount of debt enrolled
21 by the debtor at the time of enrollment in the debt management
22 program. The individual debt amount and the entire debt
23 amount>

24 3. Page 2, by striking lines 13 and 14 and inserting:
25 <Sec. _____. Section 533A.9, subsection 5, Code 2026, is
26 amended by striking the subsection and inserting in lieu
27 thereof the following:

28 5. a. Notwithstanding any provision of this section to
29 the contrary, the total aggregate fee or consideration charged
30 by a licensee for all debt management services provided by the
31 licensee to a debtor shall not exceed thirty percent of the
32 total amount of debt enrolled by the debtor at the time of
33 enrollment in the debt management program.

34 b. A licensee may assess and collect the fee for debt
35 management services on a per-debt basis as a debt is

1 renegotiated, settled, reduced, or otherwise altered in a
2 manner consistent with this section and applicable federal
3 law.>

4 4. Page 2, before line 15 by inserting:

5 <Sec. ____ . Section 533A.9, Code 2026, is amended by adding
6 the following new subsection:

7 NEW SUBSECTION. 6. If a debt settlement agreement between a
8 debtor and a creditor to settle a debt provides for the debtor
9 to make more than one payment to the creditor, the licensee
10 shall request or receive payment from the debtor of any fee for
11 debt management services provided with respect to that debt
12 incrementally over not less than one quarter of the length of
13 the debtor's period of repayment to such creditor.>

14 5. By renumbering as necessary.

LAWLER of Johnson