

1                                   A bill to be entitled  
 2           An act relating to assignment of consumer debt;  
 3           amending s. 559.715, F.S.; authorizing an assignee to  
 4           take certain actions for debts that are in default;  
 5           revising when an assignee may bring an action to  
 6           collect a debt; specifying that such action is subject  
 7           to certain requirements; providing an effective date.  
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9   Be It Enacted by the Legislature of the State of Florida:  
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11           Section 1. Section 559.715, Florida Statutes, is amended  
 12           to read:

13           559.715 Assignment of consumer debts.—

14           (1) If a creditor assigns ~~This part does not prohibit the~~  
 15 ~~assignment, by a creditor, of the right to bill and collect a~~  
 16 ~~consumer debt. However,~~ the assignee must give the debtor  
 17 written notice of such assignment as soon as practical after the  
 18 assignment is made. If the debt is in default, the written  
 19 notice of such assignment must be made, ~~but~~ at least 30 days  
 20 before the assignee takes any action to collect the debt.  
 21 Notwithstanding such 30-day period, for a debt that is in  
 22 default, the assignee may:

23           (a) Provide the disclosure required by 15 U.S.C. s.  
 24 1692e(11).

25           (b) Provide the notice required by 15 U.S.C. s. 1692g.

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26        (c) Accept payment from the debtor so long as the debtor  
27 initiates the payment.

28        (2) The assignee is a real party in interest and may bring  
29 an action in a court of competent jurisdiction to collect a debt  
30 that has been assigned to the assignee and is in default. Such  
31 action is subject to the 30-day period specified in subsection  
32 (1).

33        Section 2. This act shall take effect July 1, 2019.