

## HR 1701

Consumer Rental Purchase Agreement Act

**Congress:** 107 (2001–2003, Ended)

**Chamber:** House

**Policy Area:** Commerce

**Introduced:** May 3, 2001

**Current Status:** Received in the Senate and Read twice and referred to the Committee on Banking, Housing, and Urban A

**Latest Action:** Received in the Senate and Read twice and referred to the Committee on Banking, Housing, and Urban Affairs. (Sep 19, 2002)

**Official Text:** <https://www.congress.gov/bill/107th-congress/house-bill/1701>

### Sponsor

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**Name:** Rep. Jones, Walter B., Jr. [R-NC-3]

**Party:** Republican • **State:** NC • **Chamber:** House

**Cosponsors** (83 total)

Cosponsor	Party / State	Role	Date Joined
Rep. Baker, Richard H. [R-LA-6]	R · LA		May 3, 2001
Rep. Boehner, John A. [R-OH-8]	R · OH		May 3, 2001
Rep. Ford, Harold E., Jr. [D-TN-9]	D · TN		May 3, 2001
Rep. Frost, Martin [D-TX-24]	D · TX		May 3, 2001
Rep. Isakson, Johnny [R-GA-6]	R · GA		May 3, 2001
Rep. Jefferson, William J. [D-LA-2]	D · LA		May 3, 2001
Rep. Kanjorski, Paul E. [D-PA-11]	D · PA		May 3, 2001
Rep. Maloney, James H. [D-CT-5]	D · CT		May 3, 2001
Rep. Ross, Mike [D-AR-4]	D · AR		May 3, 2001
Rep. Sandlin, Max [D-TX-1]	D · TX		May 3, 2001
Rep. Sessions, Pete [R-TX-5]	R · TX		May 3, 2001
Rep. Wamp, Zach [R-TN-3]	R · TN		May 3, 2001
Rep. Watts, J. C., Jr. [R-OK-4]	R · OK		May 3, 2001
Rep. Bereuter, Doug [R-NE-1]	R · NE		May 16, 2001
Rep. Clement, Bob [D-TN-5]	D · TN		May 16, 2001
Rep. Duncan, John J., Jr. [R-TN-2]	R · TN		May 16, 2001
Rep. Hilleary, Van [R-TN-4]	R · TN		May 16, 2001
Rep. Holden, Tim [D-PA-6]	D · PA		May 16, 2001
Rep. Hutchinson, Asa [R-AR-3]	R · AR		May 16, 2001
Rep. Nethercutt, George R., Jr. [R-WA-5]	R · WA		May 16, 2001
Rep. Pryce, Deborah [R-OH-15]	R · OH		May 16, 2001
Rep. Shows, Ronnie [D-MS-4]	D · MS		May 16, 2001
Rep. Simpson, Michael K. [R-ID-2]	R · ID		May 16, 2001
Rep. Skelton, Ike [D-MO-4]	D · MO		May 16, 2001
Rep. Turner, Jim [D-TX-2]	D · TX		May 16, 2001
Rep. Costello, Jerry F. [D-IL-12]	D · IL		Jun 12, 2001
Rep. Ryun, Jim [R-KS-2]	R · KS		Jun 12, 2001
Rep. Bartlett, Roscoe G. [R-MD-6]	R · MD		Jun 14, 2001
Rep. Bryant, Ed [R-TN-7]	R · TN		Jun 14, 2001
Rep. Cooksey, John [R-LA-5]	R · LA		Jun 14, 2001
Rep. Dicks, Norman D. [D-WA-6]	D · WA		Jun 14, 2001
Rep. Emerson, Jo Ann [R-MO-8]	R · MO		Jun 14, 2001
Rep. Hooley, Darlene [D-OR-5]	D · OR		Jun 14, 2001
Rep. Moran, Jerry [R-KS-1]	R · KS		Jun 14, 2001
Rep. Pombo, Richard W. [R-CA-11]	R · CA		Jun 14, 2001
Rep. Spratt, John M., Jr. [D-SC-5]	D · SC		Jun 14, 2001
Rep. Tiahrt, Todd [R-KS-4]	R · KS		Jun 14, 2001
Rep. Clyburn, James E. [D-SC-6]	D · SC		Jun 28, 2001
Rep. Hulshof, Kenny C. [R-MO-9]	R · MO		Jun 28, 2001
Rep. Osborne, Tom [R-NE-3]	R · NE		Jun 28, 2001
Rep. Sherman, Brad [D-CA-24]	D · CA		Jun 28, 2001

Cosponsor	Party / State	Role	Date Joined
Rep. Carson, Brad [D-OK-2]	D · OK		Jul 10, 2001
Rep. Meeks, Gregory W. [D-NY-6]	D · NY		Jul 10, 2001
Rep. Ney, Robert W. [R-OH-18]	R · OH		Jul 10, 2001
Rep. Reyes, Silvestre [D-TX-16]	D · TX		Jul 10, 2001
Rep. Shays, Christopher [R-CT-4]	R · CT		Jul 10, 2001
Rep. Gillmor, Paul E. [R-OH-5]	R · OH		Jul 17, 2001
Rep. Goodlatte, Bob [R-VA-6]	R · VA		Jul 17, 2001
Rep. John, Christopher [D-LA-7]	D · LA		Jul 17, 2001
Rep. Lucas, Ken [D-KY-4]	D · KY		Jul 19, 2001
Rep. Kelly, Sue W. [R-NY-19]	R · NY		Jul 27, 2001
Rep. Larson, John B. [D-CT-1]	D · CT		Sep 12, 2001
Rep. Royce, Edward R. [R-CA-39]	R · CA		Sep 12, 2001
Rep. Shimkus, John [R-IL-20]	R · IL		Sep 12, 2001
Rep. McCrery, Jim [R-LA-4]	R · LA		Oct 4, 2001
Rep. McIntyre, Mike [D-NC-7]	D · NC		Oct 4, 2001
Rep. Sweeney, John E. [R-NY-22]	R · NY		Oct 4, 2001
Rep. English, Phil [R-PA-21]	R · PA		Oct 9, 2001
Rep. Phelps, David D. [D-IL-19]	D · IL		Nov 29, 2001
Rep. Terry, Lee [R-NE-2]	R · NE		Nov 29, 2001
Rep. Linder, John [R-GA-11]	R · GA		Feb 12, 2002
Rep. Hall, Ralph M. [D-TX-4]	D · TX		Mar 13, 2002
Rep. Portman, Rob [R-OH-2]	R · OH		Mar 20, 2002
Rep. Jackson-Lee, Sheila [D-TX-18]	D · TX		May 16, 2002
Rep. Kingston, Jack [R-GA-1]	R · GA		May 16, 2002
Rep. LaTourette, Steven C. [R-OH-19]	R · OH		May 16, 2002
Rep. Thornberry, Mac [R-TX-13]	R · TX		May 16, 2002
Rep. Ballenger, Cass [R-NC-10]	R · NC		May 20, 2002
Rep. Otter, C. L. (Butch) [R-ID-1]	R · ID		May 20, 2002
Rep. Barton, Joe [R-TX-6]	R · TX		May 22, 2002
Rep. Deal, Nathan [R-GA-9]	R · GA		May 22, 2002
Rep. Goode, Virgil H., Jr. [I-VA-5]	I · VA		May 22, 2002
Rep. Vitter, David [R-LA-1]	R · LA		May 22, 2002
Rep. Bonilla, Henry [R-TX-23]	R · TX		May 23, 2002
Rep. Latham, Tom [R-IA-5]	R · IA		May 23, 2002
Rep. Davis, Jo Ann [R-VA-1]	R · VA		Jun 4, 2002
Rep. Hart, Melissa A. [R-PA-4]	R · PA		Jun 4, 2002
Rep. Tiberi, Patrick J. [R-OH-12]	R · OH		Jun 6, 2002
Rep. Kirk, Mark Steven [R-IL-10]	R · IL		Jun 11, 2002
Rep. Lampson, Nick [D-TX-9]	D · TX		Jun 11, 2002
Rep. Wilson, Joe [R-SC-2]	R · SC		Jun 11, 2002
Rep. Jenkins, William L. [R-TN-1]	R · TN		Jun 27, 2002
Rep. Towns, Edolphus [D-NY-10]	D · NY		Jun 27, 2002

Committee Activity

Committee	Chamber	Activity	Date
Banking, Housing, and Urban Affairs Committee	Senate	Referred To	Sep 19, 2002
Financial Services Committee	House	Reported by	Nov 28, 2001
Judiciary Committee	House	Reported By	Sep 9, 2002

Subjects & Policy Tags

Policy Area:

Commerce

Related Bills

Bill	Relationship	Last Action
107 HRES 528	Procedurally related	Sep 18, 2002: Motion to reconsider laid on the table Agreed to without objection.

Consumer Rental Purchase Agreement Act - (Sec. 3) Amends the Consumer Credit Protection Act to mandate that a rental-purchase agreement contain clear and conspicuous disclosures signed by the consumer before the agreement is consummated, including the following: (1) a separate identification of fees, charges, or penalties; (2) a statement that the transaction is a rental-purchase agreement and that the consumer will not obtain ownership of the property until the consumer has paid the total dollar amount necessary to acquire ownership; (3) the initial payment, including the first periodic payment and required fees, taxes, or other charges; (4) the cash price of the property, and the aggregate cash price of all rental-purchase agreement items; (5) the amount and timing of periodic payments, and the total payments necessary to acquire ownership; (6) the total cost, using an expression such as "This is the amount you will pay if you make all periodic payments to acquire ownership of the property"; and (7) a statement of the consumer's right to terminate the agreement without paying any fee or charge not previously due.

Prohibits a rental-purchase agreement from containing: (1) a confession of judgment; (2) a negotiable instrument; (3) a wage assignment; (4) a claim of a property interest in any goods, except those provided by the agreement; (5) a waiver of legal claim or remedy; (6) a requirement that, in the event the property subject to the agreement is lost, stolen, damaged, or destroyed, the consumer pay an amount exceeding certain guidelines; (7) an authorization for the merchant or an agent to enter the consumer's premises without the consumer's consent or to commit any other breach of the peace in connection with repossession of the rental property or collection of any alleged obligation due under the agreement; (8) a requirement that the consumer purchase insurance or a liability damage waiver covering the subject property, except as regulations permit; or (9) a requirement that the consumer pay more than one late fee for an unpaid or delinquent periodic payment.

Sets forth consumer protections governing: (1) statements of accounts; (2) renegotiations and extensions; (3) point of sale disclosures; and (4) rental purchase advertising.

Establishes civil and criminal liability for violations of this Act.

Declares that an action for civil liability may be brought against a merchant's assignee only if the violation is apparent on the face of a rental-purchase agreement to which it relates, including, but not limited to, a disclosure that can be determined to be incomplete or inaccurate from the face of the agreement.

Grants enforcement powers to the Federal Trade Commission and to State attorneys general.

Preempts State laws relating to characterization of a transaction to the extent that they: (1) are inconsistent with this Act; (2) regulate a rental-purchase agreement as a form of consumer credit; (3) impute to a rental-purchase agreement the creation of a debt or extension of credit, or (4) require the disclosure of a percentage rate calculation, including a time-price differential, an annual percentage rate, or an effective annual percentage rate.

## Actions Timeline

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- **Sep 19, 2002:** Received in the Senate and Read twice and referred to the Committee on Banking, Housing, and Urban Affairs.
- **Sep 18, 2002:** Rule H. Res. 528 passed House.
- **Sep 18, 2002:** Considered under the provisions of rule H. Res. 528. (consideration: CR H6320-6341)
- **Sep 18, 2002:** Rule provides for consideration of H.R. 1701 with 1 hour of general debate. Previous question shall be considered as ordered without intervening motions except motion to recommit with or without instructions. Measure will be considered read. Specified amendments are in order.
- **Sep 18, 2002:** House resolved itself into the Committee of the Whole House on the state of the Union pursuant to H. Res. 528 and Rule XXIII.
- **Sep 18, 2002:** The Speaker designated the Honorable Johnny Isakson to act as Chairman of the Committee.
- **Sep 18, 2002:** GENERAL DEBATE - The Committee of the Whole proceeded with one hour of general debate on H.R. 1701.
- **Sep 18, 2002:** DEBATE - Pursuant to the provisions of H. Res. 528, the Committee proceeded with 20 minutes of debate on the amendment offered by Mr. LaFalce.
- **Sep 18, 2002:** POSTPONED VOTE - At the conclusion of debate the Chair put the question on the adoption of the LaFalce amendment and by voice vote, the Chair announced that the noes had prevailed. Mr. LaFalce demanded a recorded vote and the Chair postponed further proceedings on the amendment.
- **Sep 18, 2002:** DEBATE - Pursuant to the provisions of H. Res. 528, the Committee proceeded with 20 minutes of debate on the amendment offered by Ms. Waters.
- **Sep 18, 2002:** POSTPONED VOTE - At the conclusion of debate the Chair put the question on the adoption of the Waters amendment and by voice vote, the Chair announced that the noes had prevailed. Mrs. Waters demanded a recorded vote and the Chair postponed further proceedings on the amendment.
- **Sep 18, 2002:** UNFINISHED BUSINESS - The Chair announced that the unfinished business was the question of adoption of amendments which had been debated earlier and on which further proceedings had been postponed.
- **Sep 18, 2002:** The House rose from the Committee of the Whole House on the state of the Union to report H.R. 1701.
- **Sep 18, 2002:** The previous question was ordered pursuant to the rule.
- **Sep 18, 2002:** Ms. Waters moved to recommit with instructions to Financial Services. (consideration: CR H6339-6341)
- **Sep 18, 2002:** Floor summary: DEBATE - The House proceeded with 10 minutes of debate on the Waters motion to recommit with instructions.
- **Sep 18, 2002:** The previous question on the motion to recommit with instructions was ordered without objection.
- **Sep 18, 2002:** On motion to recommit with instructions Failed by recorded vote: 190 - 227 (Roll no. 394). (text: CR H6339)
- **Sep 18, 2002:** Passed/agreed to in House: On passage Passed by recorded vote: 215 - 201, 1 Present (Roll no. 395).(text: CR H6329-6332)
- **Sep 18, 2002:** On passage Passed by recorded vote: 215 - 201, 1 Present (Roll no. 395). (text: CR H6329-6332)
- **Sep 18, 2002:** Motion to reconsider laid on the table Agreed to without objection.
- **Sep 17, 2002:** Rules Committee Resolution H. Res. 528 Reported to House. Rule provides for consideration of H.R. 1701 with 1 hour of general debate. Previous question shall be considered as ordered without intervening motions except motion to recommit with or without instructions. Measure will be considered read. Specified amendments are in order.
- **Sep 9, 2002:** Reported (Amended) by the Committee on Judiciary. H. Rept. 107-590, Part II.
- **Sep 9, 2002:** Reported (Amended) by the Committee on Judiciary. H. Rept. 107-590, Part II.
- **Sep 9, 2002:** Placed on the Union Calendar, Calendar No. 396.
- **Sep 5, 2002:** Committee Consideration and Mark-up Session Held.
- **Sep 5, 2002:** Ordered to be Reported (Amended) by the Yeas and Nays: 14 - 12.
- **Jul 18, 2002:** Reported (Amended) by the Committee on 107-590, Part I.
- **Jul 18, 2002:** Reported (Amended) by the Committee on 107-590, Part I.
- **Jul 18, 2002:** Referred sequentially to the House Committee on the Judiciary for a period ending not later than Sept. 9, 2002 for consideration of such provisions of the bill and amendment as fall within the jurisdiction of that committee pursuant to clause 1(K), rule X.
- **Jun 27, 2002:** Committee Consideration and Mark-up Session Held.
- **Jun 27, 2002:** Ordered to be Reported (Amended) by the Yeas and Nays: 29 - 9.

**Jun 26, 2002:** Committee Consideration and Mark-up Session Held.

- **Jun 6, 2002:** Committee Consideration and Mark-up Session Held.
- **Nov 28, 2001:** Subcommittee Consideration and Mark-up Session Held.
- **Nov 28, 2001:** Forwarded by Subcommittee to Full Committee (Amended) by the Yeas and Nays: 24 - 4.
- **Sep 6, 2001:** Subcommittee Consideration and Mark-up Session Held.
- **Jul 12, 2001:** Subcommittee Hearings Held.
- **May 14, 2001:** Referred to the Subcommittee on Financial Institutions and Consumer Credit.
- **May 3, 2001:** Introduced in House
- **May 3, 2001:** Introduced in House
- **May 3, 2001:** Referred to the House Committee on Financial Services.