

HR 5794

Fair Debt Collection Practices Clarification Act of 2012

Congress: 112 (2011–2013, Ended)

Chamber: House

Policy Area: Finance and Financial Sector

Introduced: May 17, 2012

Current Status: Referred to the Subcommittee on Financial Institutions and Consumer Credit.

Latest Action: Referred to the Subcommittee on Financial Institutions and Consumer Credit. (Jul 11, 2012)

Official Text: <https://www.congress.gov/bill/112th-congress/house-bill/5794>

Sponsor

Name: Rep. Frank, Barney [D-MA-4]

Party: Democratic • **State:** MA • **Chamber:** House

Cosponsors

No cosponsors are listed for this bill.

Committee Activity

Committee	Chamber	Activity	Date
Financial Services Committee	House	Referred to	Jul 11, 2012

Subjects & Policy Tags

Policy Area:

Finance and Financial Sector

Related Bills

Bill	Relationship	Last Action
112 HR 4101	Related bill	Apr 26, 2012: Referred to the Subcommittee on Financial Institutions and Consumer Credit.

Fair Debt Collection Practices Clarification Act of 2012 - Amends the Fair Debt Collection Practices Act to revise the disclaimer of liability for any act done or omitted in good faith in conformity with any advisory opinion of the Consumer Financial Protection Bureau (CFPB).

Exempts from liability, in addition, acts done or omitted in good faith in compliance with any rule, regulation, or interpretation of the CFPB, or in conformity with any interpretation or approval by a CFPB official or employee duly authorized to issue such interpretations or approvals.

Permits a debt collector to leave messages for a consumer regarding the collection of a debt on the consumer's answering machine, voice messaging system, or similar device, including in an initial communication with the consumer, so long as the message complies with regulations prescribed by the CFPB to ensure the preservation of consumer privacy and other rights, including restrictions on communications with third parties.

Prohibits a debt collector from initiating a legal action on a debt in an arbitration setting, or requiring the consumer to resolve by arbitration a collection-related dispute on the debt, unless the consumer has agreed in writing to resolution by arbitration after collections activities have been initiated and a legal action or dispute has arisen.

Actions Timeline

- **Jul 11, 2012:** Referred to the Subcommittee on Financial Institutions and Consumer Credit.
- **May 17, 2012:** Introduced in House
- **May 17, 2012:** Referred to the House Committee on Financial Services.