WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1978

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ENROLLED

HOUSE BILL No. 1666

(By Mr. Boettner)

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PASSED March 9, 1978

In Effect from Passage
AN ACT to amend and reenact section one hundred twenty-two, article two, chapter forty-six-a of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to the West Virginia consumer credit and protection act; definition of terms; defining two terms pertaining to debt collection practices.

Be it enacted by the Legislature of West Virginia:

That section one hundred twenty-two, article two, chapter forty-six-a of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended and reenacted to read as follows:

ARTICLE 2. CONSUMER CREDIT PROTECTION.

§46A-2-122. Definitions.

1 For the purposes of this section and sections one hundred twenty-three, one hundred twenty-four, one hundred twenty-five, one hundred twenty-six, one hundred twenty-seven, one hundred twenty-eight and one hundred twenty-nine of this article, the following terms shall have the following meanings:

6 (a) “Consumer” means any natural person obligated or allegedly obligated to pay any debt.

8 (b) “Claim” means any obligation or alleged obligation of a consumer to pay money arising out of a transaction in which the money, property, insurance, or service which is
the subject of the transaction is primarily for personal, family, or household purposes, whether or not such obligation has been reduced to judgment.

(c) "Debt collection" means any action, conduct or practice of soliciting claims for collection or in the collection of claims owed or due or alleged to be owed or due to a creditor by a consumer.

(d) "Debt collector" means any person or organization engaging directly or indirectly in debt collection. The term includes any person or organization who sells or offers to sell forms which are, or are represented to be, a collection system, device or scheme, and are intended or calculated to be used to collect claims.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

James L. Davis  
Chairman Senate Committee

Chairman House Committee

Originated in the House.

Takes effect from passage.

J. Willard  
Clerk of the Senate

Clerk of the House of Delegates

M. T. Blankenship  
President of the Senate

Donald L. Zepp  
Speaker House of Delegates

The within ______________________ this the 24th  
day of ______________________, 1978.

Governor