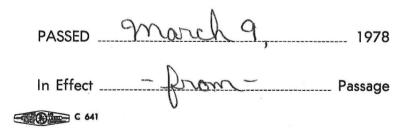
WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1978

ENROLLED

HOUSE BILL No. 1666

(By Mr. Boettner)



ENROLLED

H. B. 1666

(By Mr. BOETTNER)

[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 fortysix-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.

For the purposes of this section and sections one hunderd twenty-three, one hundred twenty-four, one hundred twentyfive, 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 or7 allegedly obligated to pay any debt.

8 (b) "Claim" means any obligation or alleged obligation
9 of a consumer to pay money arising out of a transaction in
10 which the money, property, insurance, or service which is

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the subject of the transaction is primarily for personal, family,or household purposes, whether or not such obligation hasbeen reduced to judgment.

14 (c) "Debt collection" means any action, conduct or prac-15 tice of soliciting claims for collection or in the collection 16 of claims owed or due or alleged to be owed or due to a 17 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.

no Chairman Senate Committee

Chairman House Committee

Originated in the House.

Takes effect from passage.

Clerk of the Senate

VABlankenship

Clerk of the House of Delegates

President of the Senate

Speaker House of Delegates

The within mappe this the 24 day of Mar, 1978. Governor

C-641

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APPROVED AND SIGNED BY THE GOVERNOR

Date March 24, 1978 Time 10:25 A.M.

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