

BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL 1292
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Blacklist Prevention” and substitute “Consumer Credit Contracts – Prohibited Provisions”; and in lines 4, 6, and 12, in each instance, after “consumer” insert “credit”.

AMENDMENT NO. 2

On page 2, in line 3, after “**CONSUMER**” insert “**CREDIT**”; in line 4, strike “**SALE, LEASE, OR**”; strike beginning with “**CONSUMER GOODS,**” in line 4 down through “**OR**” in line 5; and in lines 25 and 29, in each instance, after “**CONSUMER**” insert “**CREDIT**”.

AMENDMENT NO. 3

On page 2, strike in their entirety lines 10 through 24, inclusive, and substitute:

“(5) “PROHIBITED RISK FACTOR” MEANS THE IDENTITY OF:

(I) A PERSON FROM WHOM A CONSUMER LAWFULLY OBTAINS CONSUMER CREDIT, CONSUMER GOODS, OR CONSUMER SERVICES; OR

(II) A PERSON WHO MAKES OR HOLDS A MORTGAGE LOAN ON A CONSUMER’S HOME.

(B) A PERSON MAY NOT INCLUDE OR ENFORCE A PROVISION IN A CONSUMER CREDIT CONTRACT, WITHOUT THE CONSUMER’S PRIOR WRITTEN CONSENT, THAT:

(Over)

(1) TRIGGERS A DEFAULT UNDER THE CONSUMER CREDIT CONTRACT BASED ON A PROHIBITED RISK FACTOR; OR

(2) AUTHORIZES A PARTY TO THE CONSUMER CREDIT CONTRACT TO USE A PROHIBITED RISK FACTOR FOR THE PURPOSE OF:

(I) ACCELERATING A PAYMENT OWED UNDER THE CONSUMER CREDIT CONTRACT;

(II) INCREASING THE INTEREST RATE PAYABLE UNDER THE CONSUMER CREDIT CONTRACT;

(III) REDUCING THE CREDIT LIMIT AVAILABLE UNDER THE CONSUMER CREDIT CONTRACT; OR

(IV) ALTERING A TERM OF THE CONSUMER CREDIT CONTRACT IN ANY OTHER MANNER ADVERSE TO THE CONSUMER.”;

and in line 27, strike “IN A CONSUMER CONTRACT”.

On pages 2 and 3, strike in their entirety the lines beginning with line 33 on page 2 through line 2 on page 3, inclusive, and substitute “IN CONNECTION WITH THE PROVISION OF CONSUMER CREDIT.”.