

Chapter 549

(Senate Bill 42)

AN ACT concerning

Courts – Consumer Debt Collection Actions – Statute of Limitations

FOR the purpose of ~~repealing a certain provision of law relating to the statute of limitations on consumer debt collection actions; clarifying that a prohibition on reviving the statute of limitations period after certain activity on debt occurs applies only after the expiration of the statute of limitations~~ clarifying that a certain prohibition on reviving or extending the statute of limitations applicable to a consumer debt collection action applies only to certain actions on the debt that occur after the expiration of the limitations period; providing that a certain provision of law may not be interpreted to affect the statute of limitations applicable to a cause of action arising from a certain agreement or payment plan entered into before the expiration of a certain statute of limitations; and generally relating to consumer debt collection actions.

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 5–1202
Annotated Code of Maryland
(2013 Replacement Volume and 2017 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
That the Laws of Maryland read as follows:

Article – Courts and Judicial Proceedings

5–1202.

(a) A creditor or a collector may not initiate a consumer debt collection action after the expiration of the statute of limitations applicable to the consumer debt collection action.

(b) **(1)** Notwithstanding any other provision of law, ~~on the expiration of the statute of limitations applicable to the consumer debt collection action,~~ any subsequent payment toward, written or oral affirmation of, or any other activity on the debt ~~may~~ **THAT OCCURS AFTER THE EXPIRATION OF THE STATUTE OF LIMITATIONS APPLICABLE TO THE CONSUMER DEBT COLLECTION ACTION DOES** not revive ~~for extend~~ the limitations period.

(2) THIS SUBSECTION MAY NOT BE INTERPRETED TO AFFECT THE STATUTE OF LIMITATIONS APPLICABLE TO A CAUSE OF ACTION ARISING FROM A SEPARATE WRITTEN AGREEMENT OR WRITTEN PAYMENT PLAN ENTERED INTO BY

THE DEBTOR AND THE CREDITOR OR COLLECTOR BEFORE THE EXPIRATION OF THE STATUTE OF LIMITATIONS APPLICABLE TO THE CONSUMER DEBT COLLECTION ACTION.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2018.

Approved by the Governor, May 8, 2018.