

SENATE BILL 42

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8lr1058

(PRE-FILED)

By: **Senators Norman and Cassilly**

Requested: November 2, 2017

Introduced and read first time: January 10, 2018

Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Courts – Consumer Debt Collection Actions – Statute of Limitations**

3 FOR the purpose of repealing a certain provision of law relating to the statute of limitations
4 on consumer debt collection actions; clarifying that a prohibition on reviving the
5 statute of limitations period after certain activity on debt occurs applies only after
6 the expiration of the statute of limitations; and generally relating to consumer debt
7 collection actions.

8 BY repealing and reenacting, with amendments,
9 Article – Courts and Judicial Proceedings
10 Section 5–1202
11 Annotated Code of Maryland
12 (2013 Replacement Volume and 2017 Supplement)

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

15 **Article – Courts and Judicial Proceedings**

16 5–1202.

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

19 (b) Notwithstanding any other provision of law, on the expiration of the statute
20 of limitations applicable to the consumer debt collection action, any subsequent payment
21 toward, written or oral affirmation of, or any other activity on the debt may not revive [or
22 extend] the limitations period.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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