

## Chapter 149

(House Bill 402)

AN ACT concerning

### Collection Agencies – Application and Renewal Fees

FOR the purpose of ~~authorizing~~ requiring the State Collection Agency Licensing Board to ~~adopt certain regulations and to~~ set by regulation collection agency license application fees, renewal fees, and investigation fees, subject to certain limitations; requiring the fees to be reasonable and set in a manner to produce funds that are sufficient to cover the direct and indirect costs of regulating collection agency licensees; requiring the Board to publish a certain fee schedule; providing that certain fees remain in effect until certain other fees take effect; and generally relating to the regulation of collection agencies.

BY adding to

Article – Business Regulation

Section ~~7-207~~ and 7-302.1

Annotated Code of Maryland

(2004 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,

Article – Business Regulation

Section 7-302

Annotated Code of Maryland

(2004 Replacement Volume and 2009 Supplement)

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

### Article – Business Regulation

~~7-207.~~

~~IN ADDITION TO ANY POWERS SET FORTH ELSEWHERE, THE BOARD MAY ADOPT REGULATIONS TO CARRY OUT THIS TITLE.~~

7-302.

(a) (1) An applicant for a license shall:

~~(1)~~ (1) submit to the Board an application on the form that the Board provides; and

~~(9)~~ **(II)** pay to the Board:

~~(1)~~ **1.** an application fee [of \$400] **IN THE AMOUNT SET BY THE BOARD; AND**

~~(1)~~ **2.** **AN INVESTIGATION FEE IN THE AMOUNT SET BY THE BOARD.**

**(2) THE FEES AUTHORIZED UNDER THIS SUBSECTION MAY NOT EXCEED A TOTAL OF \$900 FOR A 2-YEAR TERM.**

(b) An application shall be made under oath.

(c) If an applicant wishes to do business as a collection agency at more than 1 place, the applicant shall submit a separate application and pay a separate application fee for each place.

(d) An application fee is nonrefundable.

(e) Before a license expires, the licensee periodically may renew the license for additional 2-year terms, if the licensee:

(1) otherwise is entitled to be licensed;

(2) pays to the Board a renewal fee [of \$400] ~~IN THE~~ **AN AMOUNT, NOT EXCEEDING \$900, SET BY THE BOARD;**

(3) submits to the Board a renewal application on a form required by the Board; and

(4) files with the Board a bond or bond continuation certificate as required under § 7-304 of this subtitle.

### **7-302.1.**

**(A) ~~THE~~ SUBJECT TO § 7-302(A)(2) AND (E)(2) OF THIS SUBTITLE, THE BOARD SHALL SET BY REGULATION THE FEES PROVIDED FOR IN THIS SUBTITLE.**

**(B) THE FEES ESTABLISHED BY THE BOARD UNDER THIS SECTION SHALL BE REASONABLE AND SET IN A MANNER THAT WILL PRODUCE FUNDS SUFFICIENT TO COVER THE ACTUAL DIRECT AND INDIRECT COSTS OF REGULATING COLLECTION AGENCIES IN ACCORDANCE WITH THE PROVISIONS OF THIS TITLE.**

**(C) THE BOARD SHALL PUBLISH THE FEE SCHEDULE SET BY THE BOARD.**

SECTION 2. AND BE IT FURTHER ENACTED, That, ~~notwithstanding Section 2 of this Act,~~ the fees under § 7-302 of the Business Regulation Article that are in effect on October 1, 2010, shall remain in effect until the fees set by regulation by the Board, as required under this Act, take effect.

SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2010.

**Approved by the Governor, April 13, 2010.**