LEGISLATIVE BILL 418

A BILL FOR AN ACT relating to the Collection Agency Act; to amend section 45-601, Reissue Revised Statutes of Nebraska; to change provisions relating to certain medical debt collection involving workers' compensation; to harmonize provisions; and to repeal the original section.

Be it enacted by the people of the State of Nebraska,
Section 1. Section 45-601, Reissue Revised Statutes of Nebraska, is amended to read:

45-601 Sections 45-601 to 45-622 and section 2 of this act shall be known and may be cited as the Collection Agency Act.

No person, firm, corporation, or association shall conduct or operate a collection agency or do a collection agency business as defined in the act until he, she, or it has secured a license as provided in the act. Any person, firm, corporation, or association conducting or operating such a collection agency or doing such a collection agency business without a license shall be guilty of a Class III misdemeanor for each day that such unlawful business is conducted. Any officer or agent of a firm, corporation, or association who personally participates in any violation of the act shall be guilty of a Class III misdemeanor.

Nothing contained in this section shall be construed to require a regular employee of a collection agency duly licensed as such in this state to procure a collection agency license.

Nothing in the act shall be construed to prohibit a person, firm, corporation, or association regulated as a collection agency in another state and residing in another state from communicating with a debtor in this state.

Sec. 2. No collection agency shall attempt to collect a debt if a case is pending in the Nebraska Workers' Compensation Court and the debt is alleged to be subject to section 48-120.

Sec. 3. Original section 45-601, Reissue Revised Statutes of Nebraska, is repealed.