

112TH CONGRESS  
1ST SESSION

# H. R. 2361

To improve the Fair Debt Collection Practices Act by explicitly barring debt collectors from bringing legal action on a debt in which the statute of limitations has expired against any consumer, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

JUNE 24, 2011

Mr. COHEN (for himself, Mr. JACKSON of Illinois, Mr. McDERMOTT, Mr. MEEKS, and Ms. LEE of California) introduced the following bill; which was referred to the Committee on Financial Services

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## A BILL

To improve the Fair Debt Collection Practices Act by explicitly barring debt collectors from bringing legal action on a debt in which the statute of limitations has expired against any consumer, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Fair Debt Collection  
5 Improvement Act”.

6 **SEC. 2. COLLECTION OF TIME-BARRED DEBT.**

7 (a) **LEGAL ACTIONS ON TIME-BARRED DEBT.**—Sec-  
8 tion 811 of the Fair Debt Collection Practices Act (15

1 U.S.C. 1692i) is amended by adding at the end the fol-  
2 lowing:

3 “(c) A debt collector may not bring, or threaten to  
4 bring, legal action against any consumer on a debt in  
5 which the statute of limitations has expired.”.

6 (b) COMMUNICATION WITH CONSUMERS WITH TIME-  
7 BARRED DEBT.—Section 805 of such Act (15 U.S.C.  
8 1692c) is amended—

9 (1) by redesignating subsection (d) as sub-  
10 section (e); and

11 (2) by inserting the following:

12 “(d) COMMUNICATION WITH CONSUMERS WITH  
13 TIME-BARRED DEBT.—In connection with the collection  
14 of debt in which the statute of limitations has expired,  
15 a debt collector shall disclose to a consumer the following:

16 “(1) The debt has been transferred to the debt  
17 collector.

18 “(2) The creditor no longer holds the debt.

19 “(3) As a result of the expiration of the statute  
20 of limitations with respect to such debt, the debt col-  
21 lector may not bring legal action against the con-  
22 sumer to collect such debt.

1           “(4) Any payment by the consumer towards the  
2           debt may cause the statute of limitations for such  
3           debt to reset.”.

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