

ASSEMBLY BILL NO. 472—COMMITTEE ON COMMERCE AND LABOR

MARCH 18, 2009

Referred to Committee on Commerce and Labor

SUMMARY—Revises provisions concerning the collection of credit card debt. (BDR 8-1137)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: No.

~

EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to credit cards; providing that, in an action to collect credit card debt, a purchaser of credit card debt must include certain information in the complaint and satisfy certain evidentiary standards; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

1 Existing law provides that an issuer of a credit card may establish liability for
2 credit card debt by producing a written application for the credit card signed by the
3 cardholder or by evidence that the cardholder incurred charges and made payments
4 on the card. (NRS 97A.160) This bill provides that a judgment cannot be entered in
5 favor of a subsequent purchaser of credit card debt who attempts to collect on the
6 debt unless the purchaser establishes liability for the debt in that manner. This bill
7 also requires certain information to be disclosed in any complaint filed by a
8 purchaser of credit card debt in an action to collect credit card debt.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 **Section 1.** Chapter 97A of NRS is hereby amended by adding
2 thereto a new section to read as follows:

3 ***1. In an action brought to collect a credit card debt owed to a***
4 ***purchaser of credit card debt:***

5 ***(a) The complaint must include, without limitation:***

6 ***(1) The name of the issuer;***

7 ***(2) The last four digits of the account number originally***
8 ***assigned by the issuer;***



1 (3) All subsequent account numbers assigned to the credit
2 card debt by all assignees of the credit card debt; and

3 (4) The date of the default on the credit card debt.

4 (b) No judgment in favor of the purchaser of credit card debt,
5 including, without limitation, a default judgment, may be entered
6 unless:

7 (1) The complaint includes the information required by
8 paragraph (a) of subsection 1; and

9 (2) The purchaser of credit card debt has satisfied the
10 standards of proof set forth in subsections 1 and 2 of
11 NRS 97A.160.

12 2. As used in this section, "purchaser of credit card debt"
13 means a person, other than a financial institution, that purchases
14 any outstanding credit card debt.

15 Sec. 2. (Deleted by amendment.)

16 Sec. 3. (Deleted by amendment.)

17 Sec. 4. This act becomes effective on July 1, 2009.

