HOUSE DOCKET, NO. 4506 FILED ON: 7/24/2012

HOUSE . . . . . No. 4379

The Commonwealth of Massachusetts

PRESENTED BY:

John J. Binienda

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying:

An Act to protect the peace and privacy of the residents of the Commonwealth.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
John J. Binienda	*17th Worcester*

HOUSE DOCKET, NO. 4506 FILED ON: 7/24/2012

HOUSE . . . . . No. 4379

By Mr. Binienda of Worcester, a petition (subject to Joint Rule 12) of John J. Binienda relative to unfair or deceptive business practices. Consumer Protection and Professional Licensure.

The Commonwealth of Massachusetts

An Act to protect the peace and privacy of the residents of the Commonwealth.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Chapter 93 of the General Laws as appearing in the 2010 official edition is hereby amended by inserting after subsection (d) in section 49, the following section:

(e) Notwithstanding any rule, regulation, or General Law to the contrary, and except in the case of express permission of a court of competent jurisdiction, or as reasonably necessary to effectuate a post-judgment judicial remedy, a debt collector shall not communicate with any person other than the debtor, his attorney, a consumer reporting agency if otherwise permitted by law, the creditor, the attorney of the creditor, or the attorney of the debt collector. Express permission given by the debtor to contact the third party shall not exempt the debt collector from the provisions set forth under this paragraph. Any violation of this paragraph shall constitute an unfair or deceptive business practice as outlined by Chapter 93A of the General Laws.