AMENDMENT TO H.R. 2547, AS REPORTED
OFFERED BY MS. BONAMICI OF OREGON

Redesignate title IX as title X.

Redesignate section 901 as section 1001.

After title VIII insert the following:

TITLE IX—SECURING CONSUMER AGAINST MISREPRESENTED DEBT ACT

SEC. 901. SHORT TITLE.

This Act may be cited as the “Securing Consumers Against Misrepresented Debt Act of 2021” or the “SCAM Debt Act”.

SEC. 902. LEGAL ACTIONS BY DEBT COLLECTORS.

Section 811 of the Fair Debt Collections Practices Act (15 U.S.C. 1692i) is amended—

(1) by redesignating subsection (b) as subsection (c); and

(2) by inserting after subsection (a) the following new subsection:

“(b) REQUIREMENTS FOR DEBT COLLECTORS.—A debt collector that takes legal action to collect or attempt
to collect a debt shall comply with the following require-
ments:

“(1) Provide the consumer written notice of the
intent to take legal action, sent to the consumer’s
last known address at least 30 days and not later
than 60 days in advance of commencing the legal ac-
tion, that shall include—

“(A) all methods that the consumer can
use to contact the debt collector; and

“(B) all information contained in the no-
tice required under section 809(a) (excluding
the information described in paragraphs (3),
(4), and (5) of such section), updated to ensure
correctness.

“(2) In the initial pleading filed by a debt col-
llector to commence a legal action to collect a debt,
include—

“(A) all information contained in the no-
tice required under section 809(a) (excluding
the information described in paragraphs (3),
(4), and (5) of such section), except any ac-
count numbers and any personally identifiable
information, updated to ensure correctness;

“(B) the last four digits of the account
number of the original debt;
“(C) admissible documentary evidence of—

“(i) the written agreement, contract,
or instrument creating the debt, if any, or
other documents showing that the con-
sumer agreed to the agreement, contract,
or instrument creating the debt;

“(ii) any terms and conditions rel-

evant to the debt;

“(iii) that the consumer incurred the
debt and the amount owed; and

“(iv) that there is a chain of title of
the ownership of debt and the right to col-
lect the debt, including documents showing
the date of each transfer of ownership of
the debt and the identity of each owner of
the debt; and

“(D) a sworn affidavit stating—

“(i) that the applicable statute of limi-
tations for collecting the debt has not ex-
pired and the date on which such statute
of limitations expires; and

“(ii) that the debt collector personally
reviewed all applicable records and docu-
ments relating to the debt to be collected.”.