

ACT No. 87

2023 Regular Session

HOUSE BILL NO. 447

BY REPRESENTATIVE PIERRE

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AN ACT

To amend and reenact R.S. 47:1676(C)(2)(a), relative to the office of debt recovery; to provide with respect to the collection of certain delinquent debt; to require agency referrals of delinquent debt to the office of debt recovery to include certain information; to provide for requirements; to provide for an effective date; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 47:1676(C)(2)(a) is hereby amended and reenacted to read as follows:

§1676. Debt recovery

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(2)(a)(i) Agencies that do not have collection contracts with the attorney general's office for the collection of delinquent debts shall refer all delinquent debts to the office as provided by rule. Such referrals shall include data and information in the required format necessary as provided for in Item (ii) of this Subparagraph to institute collection procedures. All delinquent debts shall be authenticated by the agency or officer prior to being referred to the office. Once the debt becomes final, and prior to referral to the office, the agency shall notify the debtor that failure to pay the debt in full within sixty days shall subject the debt to an additional collection fee as provided for in this Section. All agencies shall refer non-final delinquent debts to the attorney general's office for collection when the debt has been delinquent for

1 sixty days pursuant to the referral guidelines established by the attorney general as
2 incorporated into agreements between the attorney general and other agencies or
3 pursuant to the rules promulgated by the attorney general pursuant to the
4 Administrative Procedure Act. Such non-final delinquent debts shall be
5 authenticated by the agency prior to their referral to the attorney general.

6 (ii) Unless otherwise prohibited by federal or state law, any agency that
7 refers delinquent debt to the office of debt recovery shall provide the following
8 information on the delinquent debt:

9 (aa) A description of the original obligation or offense which is the subject
10 of the delinquent debt.

11 (bb) The amount of any fine, fee, penalty, or charges assessed against the
12 original obligation or offense by the originating agency.

13 (cc) The amount of any fine, fee, penalty, or charges added from previous
14 collection attempts by a third party collector and included in the debt balance placed
15 with the office of debt recovery.

16 (dd) The total amount paid and the date of last payment made by the debtor
17 on the delinquent debt.

18 (ee) Any additional information requested by the office of debt recovery.

19 * * *

20 Section 2. This Act shall become effective January 1, 2024.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____