

# Senate Bill 120

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## SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Makes employment of unlawful debt collection practice unlawful trade practice enforceable by Attorney General.

## A BILL FOR AN ACT

1  
2 Relating to enforcement of unlawful collection practices; creating new provisions; and amending  
3 ORS 646.607.

4 **Be It Enacted by the People of the State of Oregon:**

5 **SECTION 1.** ORS 646.607 is amended to read:

6 646.607. A person engages in an unlawful practice when in the course of the person's business,  
7 vocation or occupation the person **does any of the following**:

8 (1) Employs any unconscionable tactic in connection with sale, rental or other disposition of real  
9 estate, goods or services, or collection or enforcement of an obligation.]; or]

10 (2) Fails to deliver all or any portion of real estate, goods or services as promised[,] and, upon  
11 request of the customer, fails to refund any money that has been received from the customer that  
12 was for the purchase of the undelivered real estate, goods or services and that is not retained by  
13 the seller pursuant to any right, claim or defense asserted in good faith. This subsection does not  
14 create a warranty obligation and does not apply to a dispute over the quality of real estate, goods  
15 or services delivered to a customer.

16 (3) **Employs a debt collection practice that is unlawful under ORS 646.639.**

17 **SECTION 2.** The amendments to ORS 646.607 by section 1 of this 2007 Act apply to debt  
18 collection practices employed on or after the effective date of this 2007 Act.

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**NOTE:** Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted. New sections are in **boldfaced** type.