

HOUSE CONCURRENT RESOLUTION NO. 3006

Introduced by

Representatives Klemin, Kretschmar

Senators Nething, Hogue

1 A concurrent resolution directing the Legislative Council to study the feasibility and desirability
2 of adopting the Uniform Debt-Management Services Act, including consideration of the most
3 appropriate administrator of the law, how the Act would impact existing state laws, and what
4 issues other states have addressed in enacting the Act.

5 **WHEREAS**, in 2005 the National Conference of Commissioners on Uniform State Laws
6 approved and recommended for enactment in all states the Uniform Debt-Management
7 Services Act;

8 **WHEREAS**, the Act provides guidance and regulation to the debt counseling industry,
9 applying to both consumer debt counseling services and debt-management services;

10 **WHEREAS**, as a result of the federal bankruptcy reform enacted in 2005, the Act is an
11 essential part of debtor-creditor law;

12 **WHEREAS**, Colorado, Delaware, Rhode Island, and Utah have adopted the Act and at
13 least six other states have introduced legislation to adopt the Act;

14 **WHEREAS**, the North Dakota Commission on Uniform State Laws supports introduction
15 of the Act;

16 **WHEREAS**, the Act requires an enacting state make several substantive selections,
17 including which state agency should administer the Act, whether the Act will regulate for-profit
18 and not-for-profit service providers, and whether a not-for-profit service provider will be exempt
19 from state taxes;

20 **WHEREAS**, existing North Dakota law regulates multiple aspects of the debt-counseling
21 industry; and

22 **NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES**
23 **OF NORTH DAKOTA, THE SENATE CONCURRING THEREIN:**

24 That the Legislative Council study the feasibility and desirability of adopting the Uniform
25 Debt-Management Services Act, including consideration of the most appropriate administrator

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Legislative Assembly

1 of the law, how the Act would impact existing state laws, and what issues other states have
2 addressed in enacting the Act; and

3 **BE IT FURTHER RESOLVED**, that the Legislative Council report its findings and
4 recommendations, together with any legislation required to implement the recommendations, to
5 the Sixty-second Legislative Assembly.