

HOUSE BILL NO. HB0210

Collection agency board-members.

Sponsored by: Representative(s) Burkhardt, Furphy and Loucks
and Senator(s) Driskill

A BILL

for

1 AN ACT relating to the collection agency board; amending the
2 number of members of the collection agency board as specified;
3 specifying composition of board members; making conforming
4 amendments; specifying applicability; requiring appointments
5 as specified; and providing for effective dates.

6

7 *Be It Enacted by the Legislature of the State of Wyoming:*

8

9 **Section 1.** W.S. 33-11-103, 33-11-104, 33-11-105(a) and
10 33-11-111 are amended to read:

11

12 **33-11-103. Collection agency board created;**
13 **membership; appointment; term; qualifications; chairman.**

14

1 (a) The collection agency board is created. The board
2 shall consist of ~~three (3)~~ five (5) members, four (4) of whom
3 shall be appointed by the governor and one (1) of whom shall
4 be the state banking commissioner. One (1) appointed member
5 shall be an attorney-at-law who is actively engaged in
6 collection work. ~~One (1)~~ Two (2) appointed members shall be
7 ~~an officer, partner, owner or resident manager~~ officers,
8 partners, owners or resident managers of a ~~licensed~~
9 collection agencies but not from the same or affiliated
10 collection agency, and who ~~is~~ are not ~~an attorney-at-law~~
11 attorneys-at-law. One (1) appointed member shall be a member
12 of the public at large who is neither an attorney-at-law nor
13 affiliated with a collection agency, but who is or has been
14 a user of credit or collection services. ~~Commencing in 1993,~~
15 Members of the board who are appointed under this subsection
16 shall be appointed for a term of four (4) years. ~~Members of~~
17 ~~the board~~ and shall serve until their successors are duly
18 appointed and qualified.

19

20 (b) No person shall be appointed as a member of the
21 board who has not been a bona fide resident of the state of
22 Wyoming for at least five (5) years immediately prior to his
23 appointment. The appointed attorney and the ~~officer, partner,~~

1 ~~owner or resident manager~~ appointed officers, partners,
2 owners or resident managers of ~~a~~ the collection agency
3 agencies shall have been engaged in the collection business
4 within the state of Wyoming for a period of five (5) years
5 immediately prior to appointment. The appointed member of
6 the public at large shall have at least five (5) years
7 experience as a user of credit or collection services.

8
9 (c) Upon the death, resignation or removal of any
10 appointed member of the board, the governor shall appoint a
11 member to serve the remaining unexpired term. Any appointed
12 member of the board may be removed by the governor as provided
13 in W.S. 9-1-202.

14
15 (d) Members of the board shall elect one (1) of ~~their~~
16 the appointed members chairman to serve for a term of two (2)
17 years.

18
19 **33-11-104. Collection agency board; compensation.**

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21 All appointed members of the collection agency board shall be
22 paid salary in the same manner and amount as members of the
23 Wyoming legislature when attending any regular or called

1 meeting of the board and receive per diem and mileage as
2 provided in W.S. 33-1-302(a)(vii). Salary, per diem and
3 travel expense for all appointed board members shall be paid
4 solely from the account containing the license fees
5 established and payable under this act. The state banking
6 commissioner shall be considered on official business of his
7 agency when performing duties as a member of the board.

8

9 **33-11-105. Powers and duties of collection agency**
10 **board.**

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12 (a) The board ~~shall assist and advise the chairman, who~~
13 shall have charge of the administration of this act. All
14 complete applications for licenses under this act shall be
15 referred ~~by the chairman~~ to the board for consideration. The
16 board shall investigate the qualifications of the applicant.
17 If the board finds the applicant fails to meet the required
18 qualifications, the board shall reject the application;
19 otherwise the application shall be approved and a license
20 ~~issued~~ granted on payment of license fees and filing of a
21 bond as required by this act.

22

23 **33-11-111. Disposition of fees.**

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2 All fees and money received and collected by the board, except
3 the amount paid for data processing by the registry or any
4 other entity designated by the registry, shall be deposited
5 with the state treasurer, who shall credit the money to a
6 separate account. All monies paid into the state treasury and
7 credited to the account are appropriated to the use of the
8 collection agency board for the payment of all necessary
9 expenses incurred in administering this act, including the
10 payment of per diem, salary and mileage to the appointed
11 members of the board.

12

13 **Section 2.** Appointed members currently serving on the
14 collection agency board may continue to serve on the board,
15 as modified by this act, until the expiration of their terms
16 under W.S. 33-11-103(a).

17

18 **Section 3.** The governor shall appoint the two (2)
19 additional members to the collection agency board as provided
20 in W.S. 33-11-103(a) as amended by section 1 of this act not
21 later than July 1, 2019.

22

23 **Section 4.**

1

2 (a) Except as provided in subsection (b) of this section,
3 this act is effective July 1, 2019.

4

5 (b) Section 3 is effective immediately upon completion
6 of all acts necessary for a bill to become law as provided by
7 Article 4, Section 8 of the Wyoming Constitution.

8

9

(END)