

117TH CONGRESS  
1ST SESSION

# H. R. 2628

To amend the Fair Debt Collection Practices Act to extend the provisions of that Act to cover a debt collector who is collecting debt owed to a State or local government, to index award amounts under such Act for inflation, to provide for civil injunctive relief for violations of such Act, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

APRIL 16, 2021

Mr. MEEKS introduced the following bill; which was referred to the Committee on Financial Services

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## A BILL

To amend the Fair Debt Collection Practices Act to extend the provisions of that Act to cover a debt collector who is collecting debt owed to a State or local government, to index award amounts under such Act for inflation, to provide for civil injunctive relief for violations of such Act, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “Debt Collection Prac-  
5       tices Harmonization Act”.

1 **SEC. 2. PREVENTING DECEPTIVE AND HARASSING PRAC-**  
2 **TICES WHEN COLLECTING DEBT OWED TO A**  
3 **STATE OR LOCAL GOVERNMENT.**

4 Section 803(5) of the Fair Debt Collection Practices  
5 Act (15 U.S.C. 1692a(5)) is amended—

6 (1) by striking “money arising out” and insert-  
7 ing the following: “money—

8 “(A) arising out”;

9 (2) by striking “judgment.” and inserting  
10 “judgment; or”; and

11 (3) by adding at the end the following:

12 “(B) owed to a State.”.

13 **SEC. 3. AWARD OF DAMAGES.**

14 (a) **ADDITIONAL DAMAGES INDEXED FOR INFLA-**  
15 **TION.—**

16 (1) **IN GENERAL.**—Section 813 of the Fair  
17 Debt Collection Practices Act (15 U.S.C. 1692k) is  
18 amended by adding at the end the following:

19 “(f) **ADJUSTMENT FOR INFLATION.**—

20 “(1) **INITIAL ADJUSTMENT.**—Not later than 90  
21 days after the date of the enactment of this sub-  
22 section, the Bureau shall provide a percentage in-  
23 crease (rounded to the nearest multiple of \$100 or  
24 \$1,000, as applicable) in the amounts set forth in  
25 this section equal to the percentage by which—

1           “(A) the Consumer Price Index for All  
2           Urban Consumers (all items, United States city  
3           average) for the 12-month period ending on the  
4           June 30 preceding the date on which the per-  
5           centage increase is provided, exceeds

6           “(B) the Consumer Price Index for the 12-  
7           month period preceding January 1, 1978.

8           “(2) ANNUAL ADJUSTMENTS.—With respect to  
9           any fiscal year beginning after the date of the in-  
10          crease provided under paragraph (1), the Bureau  
11          shall provide a percentage increase (rounded to the  
12          nearest multiple of \$100 or \$1,000, as applicable) in  
13          the amounts set forth in this section equal to the  
14          percentage by which—

15               “(A) the Consumer Price Index for All  
16               Urban Consumers (all items, United States city  
17               average) for the 12-month period ending on the  
18               June 30 preceding the beginning of the fiscal  
19               year for which the increase is made, exceeds

20               “(B) the Consumer Price Index for the 12-  
21               month period preceding the 12-month period  
22               described in subparagraph (A).”.

23           “(2) APPLICABILITY.—The increases made under  
24           section 813(f) of the Fair Debt Collection Practices  
25           Act, as added by paragraph (1) of this subsection,

1 shall apply with respect to failures to comply with a  
 2 provision of such Act (15 U.S.C. 1601 et seq.) oc-  
 3 ccurring on or after the date of enactment of this  
 4 Act.

5 (b) INJUNCTIVE RELIEF.—Section 813(d) of the Fair  
 6 Debt Collection Practices Act (15 U.S.C. 1692k(d)) is  
 7 amended by adding at the end the following: “In a civil  
 8 action alleging a violation of this title, the court may  
 9 award appropriate relief, including injunctive relief.”.

10 **SEC. 4. PROHIBITION ON THE REFERRAL OF EMERGENCY**  
 11 **INDIVIDUAL ASSISTANCE DEBT.**

12 Chapter 3 of title 31, United States Code, is amend-  
 13 ed—

14 (1) in subchapter II, by adding at the end the  
 15 following:

16 **“§ 334. Prohibition on the referral of emergency indi-**  
 17 **vidual assistance debt**

18 “With respect to any assistance provided by the Fed-  
 19 eral Emergency Management Agency to an individual or  
 20 household pursuant to the Robert T. Stafford Disaster Re-  
 21 lief and Emergency Assistance Act (42 U.S.C. 5122 et  
 22 seq.), if the Secretary of the Treasury seeks to recoup any  
 23 amount of such assistance because of an overpayment, the  
 24 Secretary may not contract with any debt collector or  
 25 other private party to collect such amounts, unless the

1 overpayment occurred because of fraud or deceit and the  
2 recipient of such assistance knew or should have known  
3 about such fraud or deceit.”; and

4 (2) in the table of contents for such chapter, by  
5 inserting after the item relating to section 333 the  
6 following:

“334. Prohibition on the referral of emergency individual assistance debt.”.

