
SUBSTITUTE HOUSE BILL 2881

State of Washington

59th Legislature

2006 Regular Session

By House Committee on Financial Institutions & Insurance (originally sponsored by Representatives Appleton, Jarrett, Dickerson, Takko, Morris, Williams, Moeller, Flannigan, Haigh, Hudgins, Wallace, Sells, Kilmer, Schual-Berke, Darneille, Hunt, Campbell, Simpson and Ormsby)

READ FIRST TIME 2/3/06.

1 AN ACT Relating to military borrowers doing business with check
2 cashers and sellers; and amending RCW 31.45.210.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 **Sec. 1.** RCW 31.45.210 and 2005 c 256 s 1 are each amended to read
5 as follows:

6 (1) A licensee shall:

7 (a) When collecting any delinquent small loan, not garnish any
8 wages or salary paid for service in the armed forces;

9 (b) Defer for the duration of the posting all collection activity
10 against a military borrower who has been deployed to a combat or combat
11 support posting for the duration of the posting;

12 (c) Not contact, or threaten to contact, either orally or in
13 writing, the military chain of command of a military borrower in an
14 effort to collect a delinquent small loan;

15 (d) Not communicate with a military borrower in such a manner as to
16 harass, intimidate, threaten, or embarrass the military borrower,
17 including but not limited to communication at an unreasonable hour,
18 with unreasonable frequency, by threats of force or violence, by

1 threats of criminal prosecution, and by use of offensive language. A
2 communication is presumed to have been made for the purposes of
3 harassment when:

4 (i) It is made with a military borrower in any form, manner, or
5 place, more than three times in a single week;

6 (ii) It is made with a military borrower at his or her place of
7 employment more than one time in a single week; or

8 (iii) It is made with a military borrower at his or her place of
9 residence between the hours of 9:00 p.m. and 7:30 a.m.;

10 (e) Honor the terms of any repayment agreement between the licensee
11 and any military borrower, including any repayment agreement negotiated
12 through military counselors or third party credit counselors; and

13 ((+e)) (f) Not make a loan from a specific location to a person
14 that the licensee knows is a military borrower when the military
15 borrower's commander has notified the licensee in writing that the
16 specific location is designated off-limits to military personnel under
17 their command.

18 (2) For purposes of this section, "military borrower" means any
19 active duty member of the armed forces of the United States, or any
20 member of the national guard or the reserves of the armed forces of the
21 United States who has been called to active duty, or any person who has
22 notified the licensee in writing that they are the legal spouse of such
23 a member of the armed forces, national guard, or reserve.

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