

  
Chairman Phil Mendelson

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5 A BILL  
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9 IN THE COUNCIL OF THE DISTRICT OF COLUMBIA  
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13 To amend, on an emergency basis, section 28-3814 of the District of Columbia Official Code to  
14 provide a definition of the term public utility, to ensure that public utilities can continue  
15 to engage in certain practices related to customer contact and posting of notices for  
16 disconnection of service pursuant to Chapter 3 of Title 15 of the District of Columbia  
17 Municipal Regulations.

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19 BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this  
20 act may be cited as the “Protecting Consumers from Unjust Debt Collection Practices Technical  
21 Clarification Emergency Amendment Act of 2023”.

22 Sec. 2. Section 28-3814 of the District of Columbia Official Code is amended as follows:

23 (a) Subsection (b) is amended by adding a new paragraph (9) to read as follows:

24 “(9) “Public utility” shall have the same meaning as set forth in § 34–214.”.

25 (b) Subsection (d)(5) is amended to read as follows:

26 “(5) visiting or threatening to visit the household of a consumer at any time for  
27 the purpose of collecting a debt, other than for the purpose of serving process in a lawsuit or for  
28 the purpose of a public utility contacting a utility customer pursuant to 15 DCMR § 312; and”.

29 (c) Subsection (e)(2) is amended to read as follows:

30 “(2) the disclosure, publication, or communication of information relating to a  
31 consumer’s indebtedness to any relative, family member, friend, or neighbor of the consumer,  
32 except:

33                           “(A) through proper legal action or process;  
34                           “(B) in connection with a matter related to a deceased consumer’s estate;  
35                           “(C) in connection with a public utility posting a notice pursuant to 15  
36 DCMR § 312 or 15 DCMR § 314; or  
37                           “(D) at the express and unsolicited request of the relative or family  
38 member;”.

39           (d) Subsection (n)(1) is amended to read as follows:

40           “(n)(1) A debt collector who enters into a payment schedule or an agreement on terms to  
41 resolve consumer debt shall send a written copy of the payment schedule or settlement  
42 agreement to the consumer within 7 days; except, that the requirement to send a written copy of  
43 the payment schedule or settlement agreement to the consumer shall not apply to a deferred  
44 payment agreement entered into between a public utility and a utility customer pursuant to 15  
45 DCMR § 306.”.

46           Sec. 3. Applicability date.

47           This act shall apply as of January 1, 2023.

48           Sec. 4. Fiscal impact statement.

49           The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact  
50 statement required by section 4a of the General Legislative Procedures Act of 1975, approved  
51 October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

52           Sec. 5. Effective date.

53           This act shall take effect following approval by the Mayor (or in the event of veto by the  
54 Mayor, action by the Council to override the veto), and shall remain in effect for no longer than  
55 90 days, as provided for emergency acts of the Council of the District of Columbia in section

- 56 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788;
- 57 D.C. Official Code § 1-204.12(a)).