



STATE OF CALIFORNIA

Department of Financial Protection and Innovation

GOVERNOR **Gavin Newsom** • COMMISSIONER **Clothilde V. Hewlett**

IN REPLY REFER TO FILE
NO: PRO 05-21

November 8, 2023

INVITATION FOR COMMENTS ON SECOND DRAFT TEXT FOR PROPOSED SCOPE RULEMAKING
UNDER THE DEBT COLLECTION LICENSING ACT

BACKGROUND

In September 2020, the California Legislature enacted the Debt Collection Licensing Act (“DCLA”), authorizing the Commissioner of Financial Protection and Innovation (“Commissioner”) to license, investigate, and examine debt collectors, and to enforce the Rosenthal Fair Debt Collection Practices Act (“RFDCPA”) and the Fair Debt Buying Practices Act (“FDBPA”). Prior to enactment of the DCLA, debt collectors were not required to be licensed in California. The DCLA became operative on January 1, 2022.

On December 22, 2021, regulations implementing the application requirements under the DCLA became effective. On August 19, 2021, the Commissioner released an invitation to comment on an anticipated subsequent rulemaking related to the scope, annual report, and bond amount increase provisions of the DCLA. On July 15, 2022, The Commissioner released a draft text related to the scope, annual report, and document retention requirements of the DCLA for public comment. The Commissioner has made changes to this draft and is now releasing it for a second round of prenotice public comment. This draft concerns only the scope and document retention requirements of the DCLA. Annual report requirements will be adopted through a separate rulemaking.

TIME FOR COMMENTS

The Commissioner invites interested parties to submit comments, including comments describing the potential financial impact of the draft regulations, by January 15, 2024.

WHERE TO SUBMIT COMMENTS

You may submit comments by any of the following means:

Electronic

Comments may be submitted electronically to regulations@dfpi.ca.gov. Include “PRO 05-21” in the subject line.

Mail

Department of Financial Protection and Innovation
Legal Division
Attn: DeEtte Phelps, Regulations Coordinator
2101 Arena Blvd.
Sacramento, CA 95834

CONTACT PERSONS

Questions regarding this invitation for comments may be directed to Emily Gallagher,
Senior Counsel, at emily.gallagher@dfpi.ca.gov.