

SENATE FILE NO. SF0026

Nationwide multistate licensing system-collection agencies.

Sponsored by: Joint Revenue Interim Committee

A BILL

for

1 AN ACT relating to collection agencies; authorizing the
2 collection agency board to utilize the nationwide
3 multistate licensing system and registry as specified;
4 authorizing the dissemination of criminal history record
5 information to the board for purposes of licensing;
6 authorizing the board to require background checks for
7 purposes of licensing; providing application requirements;
8 amending provisions related to license expiration and
9 renewal; amending provisions related to the disposition of
10 fees; providing for extensions of licenses as specified;
11 providing applicability; and providing for an effective
12 date.

13

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

15

1 **Section 1.** W.S. 7-19-106(a) by creating a new
2 paragraph (xxix), 33-11-101(a) by creating new paragraphs
3 (xiii) and (xiv) and by renumbering (xiii) as (xv),
4 33-11-105 by creating new subsections (c) and (d),
5 33-11-107 by creating new subsections (e) through (h),
6 33-11-110(b), 33-11-111 and 33-11-113 by creating a new
7 subsection (c) are amended to read:

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9 **7-19-106. Access to, and dissemination of,**
10 **information.**

11
12 (a) Criminal history record information shall be
13 disseminated by criminal justice agencies in this state,
14 whether directly or through any intermediary, only to:

15
16 (xxix) The collection agency board for purposes
17 of licensing under Wyoming statutes title 33, chapter 11.

18
19 **33-11-101. Definitions.**

20
21 (a) As used in this act:

1 (xiii) "Channeling agent" means the third party
2 licensing system that gathers the application information
3 and distributes it to Wyoming for review and for use in the
4 approval or denial decision;

5
6 (xiv) "Registry" means the nationwide multistate
7 licensing system and registry maintained by the State
8 Regulatory Registry, LLC;

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10 ~~(xiii)~~ (xv) "This act" means W.S. 33-11-101
11 through 33-11-116.

12
13 **33-11-105. Powers and duties of collection agency**
14 **board.**

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16 (c) In addition to other powers granted by this act,
17 the board may:

18
19 (i) Require a licensee or an applicant for a
20 license to submit to a background investigation including
21 fingerprint checks for state, national and international
22 criminal history record checks. In exercising its authority
23 under this paragraph, the board may utilize background

1 checks completed by the division of criminal investigation,
2 other government agencies in this state or in other states,
3 the federal bureau of investigation, the registry or
4 another entity designated by the registry;

5
6 (ii) Determine the content of application forms
7 and the means by which an applicant applies for, renews or
8 amends a license under this act.

9
10 (d) The board may require applicants to utilize the
11 registry or an entity designated by the registry for the
12 processing of applications and fees.

13
14 **33-11-107. Application for license; qualifications;**
15 **financial statement.**

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17 (e) The board may establish relationships or contract
18 with the registry or any other entity designated by the
19 registry to collect and maintain records and process
20 transaction fees or other fees related to applicants,
21 licensees or other persons subject to this act.

22

1 (f) In addition to the other requirements of this
2 section, in connection with an application for licensure
3 the applicant may be required to furnish to the board or
4 the registry information concerning the identity of the
5 applicant, the owners or persons operating or managing the
6 applicant and individuals designated as operators or
7 managers of the applicant's places of business, including:

8
9 (i) Fingerprints for submission to the federal
10 bureau of investigation or any governmental agency or
11 entity authorized to receive fingerprints for a state,
12 national and international criminal history background
13 check; and

14
15 (ii) Personal history, including the submission
16 of authorization for the board, registry or designee to
17 obtain:

18
19 (A) An independent credit report obtained
20 from a consumer reporting agency described in section
21 603(p) of the federal Fair Credit Reporting Act; and

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1 (B) Information related to any
2 administrative, civil or criminal findings by any
3 governmental jurisdiction.

4
5 (g) For the purposes of this section and to reduce
6 the points of contact that the federal bureau of
7 investigation may have to maintain for purposes of
8 subsection (f) of this section, the board may use the
9 registry as a channeling agent for requesting information
10 from and distributing information to the United States
11 department of justice or any governmental agency.

12
13 (h) For the purposes of this section and to reduce
14 the points of contact that the board may have to maintain
15 for purposes of subsection (f) of this section, the board
16 may use the registry as a channeling agent for requesting
17 and distributing information to and from any source as
18 directed by the board.

19
20 **33-11-110. License; renewals; fee; license**
21 **nontransferable; display.**

1 (b) Each collection agency license ~~expires one (1)~~
2 ~~year from the date of issuance~~ shall expire on December 31
3 of each year. The licensee shall submit all required
4 renewal application information not later than December 1
5 of each year. A collection agency license is not
6 transferable. Each collection agency license shall be
7 displayed in a conspicuous place in licensee's place of
8 business.

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10 **33-11-111. Disposition of fees.**

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12 All fees and money received and collected by the board,
13 except the amount paid for data processing by the registry
14 or any other entity designated by the registry, shall be
15 deposited with the state treasurer, who shall credit the
16 money to a separate account. All monies paid into the state
17 treasury and credited to the account are appropriated to
18 the use of the collection agency board for the payment of
19 all necessary expenses incurred in administering this act,
20 including the payment of per diem, salary and mileage to
21 members of the board.

33-11-113. Records of license and bond actions;
confidentiality.

(c) Except as prohibited by law, the board or board's designee may furnish information to or receive information from the registry for the purpose of regulation of the debt collection industry. Information furnished by the board to any third party which is confidential or privileged in the board's possession remains confidential or privileged in the possession of the third party. Information received by the board from any third party which is confidential or privileged in the third-party's possession remains confidential or privileged in the board's possession.

Section 2. This act is effective immediately upon completion of all acts necessary for a bill to become law as provided by Article 4, Section 8 of the Wyoming Constitution.

(END)