



## 2009 SENATE BILL 286

September 14, 2009 – Introduced by Senator DARLING, cosponsored by Representative J. OTT. Referred to Committee on Veterans and Military Affairs, Biotechnology, and Financial Institutions.

1 **AN ACT to amend** 218.04 (1) (a) of the statutes; **relating to:** collection agencies.

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### *Analysis by the Legislative Reference Bureau*

Under current law, a person may not operate as a collection agency unless the person is licensed as a collection agency by the Division of Banking in the Department of Financial Institutions (division). A “collection agency” is defined as a person engaging in the business of collecting or receiving for payment for others of any account, bill, or other indebtedness, but the definition also contains specific exceptions, including those for attorneys, banks, express companies, insurers, and real estate brokers and salespersons. A collection agency is subject to regulation by the division and to certain laws regulating its operations.

This bill creates an exception from the definition of “collection agency” for health care billing companies. As a result, health care billing companies are not regulated as collection agencies by the division and are not subject to laws governing collection agencies.

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*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

2 **SECTION 1.** 218.04 (1) (a) of the statutes is amended to read:

3 218.04 (1) (a) “Collection agency” means any person engaging in the business  
4 of collecting or receiving for payment for others of any account, bill, or other

**SENATE BILL 286****SECTION 1**

1 indebtedness. It shall “Collection agency” does not include attorneys at law  
2 authorized to practice in this state and resident herein, banks, express companies,  
3 health care billing companies, state savings banks, state savings and loan  
4 associations, insurers and their agents, trust companies, district attorneys acting  
5 under s. 971.41, persons contracting with district attorneys under s. 971.41 (5), real  
6 estate brokers, and real estate salespersons.

7 (END)