

AN ACT

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

Codification  
District of  
Columbia  
Official Code

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To amend the Check Cashers Act of 1998 and Title 28 of the District of Columbia Official Code to restrict certain lending practices conducted by payday loan businesses.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Payday Loan Consumer Protection Amendment Act of 2007”.

Sec. 2. The Check Cashers Act of 1998, effective May 12, 1998 (D.C. Law 12-111; D.C. Official Code § 26-301 *et seq.*), is amended as follows:

(a) Section 2(3) (D.C. Official Code § 26-301(3)) is repealed.

(b) Section 18(a) (D.C. Official Code § 26-317(a)) is amended by striking the sentence “An additional verification, handling, and documentation processing fee may be charged, pursuant to section 20, for a personal check held for deferred deposit.”.

(c) Section 20(c) (D.C. Official Code § 26-319(c)) is repealed.

Amend  
§ 26-301

Amend  
§ 26-317

Amend  
§ 26-319

Sec. 3. Title 28 of the District of Columbia Official Code is amended as follows:

(a) Section 28-3301 is amended as follows:

(1) Subsection (d)(1) is amended by striking the phrase “an amount in excess of \$1,000” and inserting the phrase “an amount in excess of \$2,500” in its place.

(2) New subsections (h) and (i) are added to read as follows:

“(h) Except as otherwise provided in this section, the provisions of this chapter shall apply to consumer credit transactions, including modifications (including refinancing, consolidations, and deferrals), occurring in the District of Columbia. For the purposes of this chapter, a consumer credit transaction occurs in the District of Columbia if:

“(1) A written agreement evidencing the obligation or offer of the consumer is received by the creditor in the District of Columbia; or

“(2) A consumer who is a resident of the District of Columbia enters into the transaction with a creditor who has solicited or advertised in the District of Columbia by any means, including mail, brochure, telephone, print, radio, television, internet, or any other electronic means.

“(i) For the purposes of this chapter, the term “consumer” shall have the same meaning as in § 28-3901(a)(2).”.

(b) Section 28-3904 is amended as follows:

(1) Subsection (cc) is amended by striking the phrase “; or” and inserting a semicolon in its place.

(2) Subsection (dd) is amended by striking the period and inserting a semicolon in its place.

Amend  
§ 28-3301

Amend  
§ 28-3904

(3) Subsection (ee) is amended by striking the period and inserting the phrase “; or” in its place.

(4) A new subsection (ff) is added to read as follows:  
“(ff) violate any provision of Chapter 33 of this title.”.

Sec. 4. This act shall take effect following the certification by the Chief Financial Officer, through a revised quarterly revenue estimate for fiscal year 2008, that local funds exceed the annual revenue estimates incorporated in the fiscal year 2008 budget and financial plan in an amount sufficient to account for its fiscal effect. The Chief Financial Officer shall set aside revenue to account for the cost of fully implementing this act.

Sec. 5. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 6. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of Congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.

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Chairman  
Council of the District of Columbia

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Mayor  
District of Columbia