

# RULES AND REGULATIONS

## Title 37—LAW

OFFICE OF ATTORNEY GENERAL

[37 PA. CODE CH. 303]

### Debt Collection Trade Practices

The Office of Attorney General (OAG), through its Bureau of Consumer Protection, deletes Chapter 303 (relating to debt collection trade practices) to read as set forth in Annex A.

Chapter 303 was expressly rescinded by section 6 of the act of March 28, 2000 (P. L. 23, No. 7) (Act 2000-7), known as the Fair Credit Extension Uniformity Act (73 P. S. §§ 2270.1—2270.6). Act 2000-7 establishes and describes unfair or deceptive acts or practices with regard to the collection of debts, effectively replacing the provisions of Chapter 303. The OAG is not proposing any regulations under Act 2000-7 at this time.

#### *Omission of Proposed Rulemaking*

Proposed rulemaking is omitted under section 204(3) of the act of July 31, 1968 (P. L. 769, No. 240) (CDL) (45 P. S. § 1204(3)), since the deletion of Chapter 303 by Act 2000-7 renders notice of proposed rulemaking impracticable and unnecessary.

#### *Fiscal Impact*

This rulemaking has no fiscal impact on the general public or government agencies.

#### *Effective Date*

This final-omitted rulemaking will go into effect upon publication in the *Pennsylvania Bulletin*.

#### *Contact Person*

Questions or comments regarding this final-omitted rulemaking may be addressed to Frank T. Donaghue, Director, Bureau of Consumer Protection, Office of Attorney General, 14th Floor, Strawberry Square, Harrisburg, PA 17120, (717) 787-9707. Questions or comments may also be e-mailed to consumers@attorneygeneral.gov or faxed to (717) 787-1190.

#### *Regulatory Review*

Under section 5.1(c) of the Regulatory Review Act (71 P. S. § 745.5a(c)), on April 9, 2001, the OAG submitted a copy of this final-omitted rulemaking to the Independent Regulatory Review Commission (IRRC) and to the Chairpersons of the House and Senate Judiciary Committees.

Under section 5.1(d) of the Regulatory Review Act, on May 1, 2001, the final-omitted rulemaking was deemed approved by the House and Senate Committees. Under section 5.1(e) of the Regulatory Review Act, on May 3, 2001, IRRC met and approved the final-omitted rulemaking.

#### *Sunset Date*

No sunset date is proposed for this rulemaking since it deletes a chapter of the *Pennsylvania Code* which was repealed by legislation.

#### *Findings*

The OAG finds that:

(1) Notice of proposed rulemaking is impracticable and unnecessary under section 204(3) of the CDL because Chapter 303 was rendered of no effect by the absolute repeal of Act 2000-7, which became effective on June 26, 2000.

(2) The adoption of the rulemaking in the manner provided in this order is necessary and appropriate for the administration and enforcement of the authorizing statutes.

#### *Order*

The OAG, acting under the authorizing statutes, orders that:

(a) The regulations of the OAG, 37 Pa. Code Chapter 303, are amended by deleting §§ 303.1—303.9 to read as set forth in Annex A.

(b) The OAG has reviewed the rulemaking for approval as to form and legality as required by law.

(c) The OAG shall certify this order and Annex A and deposit them with the Legislative Reference Bureau as required by law.

(4) This order shall take effect upon publication in the *Pennsylvania Bulletin*.

FRANK T. DONAGHUE,

*Director*

*Bureau of Consumer Protection*

(*Editor's Note:* For the text of the order of the Independent Regulatory Review Commission, relating to this document, see 31 Pa.B. 2641 (May 19, 2001).)

**Fiscal Note:** 59-8. No fiscal impact; (8) recommends adoption.

#### **Annex A**

#### **TITLE 37. LAW**

#### **PART V. BUREAU OF CONSUMER PROTECTION**

#### **CHAPTER 303. (Reserved)**

#### **§§ 303.1—303.9. (Reserved).**

[Pa.B. Doc. No. 01-901. Filed for public inspection May 25, 2001, 9:00 a.m.]