

**HOUSE . . . . . No. 364**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

***Michael J. Finn***

*To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:*

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act relative to the collection of debt.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Michael J. Finn</i>	<i>6th Hampden</i>	<i>1/15/2025</i>
<i>Ryan M. Hamilton</i>	<i>15th Essex</i>	<i>3/27/2025</i>

**HOUSE . . . . . No. 364**

By Representative Finn of West Springfield, a petition (accompanied by bill, House, No. 364) of Michael J. Finn relative to the collection of debt. Consumer Protection and Professional Licensure.

**The Commonwealth of Massachusetts**

**In the One Hundred and Ninety-Fourth General Court  
(2025-2026)**

An Act relative to the collection of debt.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1 SECTION 1: Notwithstanding any general or special law to the contrary, a debt collector  
2 or creditor as defined by Section 24 of Chapter 93 of the General Laws, shall be permitted to  
3 accept payment of a debt, or any portion thereof, by postdated check or other similar instrument  
4 with the following exceptions:

5 (1) A debt collector or creditor shall not accept from any person a check or other payment  
6 instrument postdated by more than five days unless such person is notified in writing of the debt  
7 collector's intent to deposit such check or instrument not more than ten, nor less than three, days,  
8 excluding legal public holidays identified in 5 U.S.C. 6103(a), Saturdays, and Sundays, prior to  
9 such deposit.

10 (2) A debt collector or creditor shall not solicit any postdated check or other postdated  
11 payment instrument for the purpose of threatening or instituting criminal prosecution.

- 12           (3) A debt collector or creditor shall not deposit or threaten to deposit any postdated  
13 check or other postdated payment instrument prior to the date on such check or instrument.