

**HOUSE . . . . . No. 4379**

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The Commonwealth of Massachusetts

PRESENTED BY:

*John J. Binienda*

*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 to protect the peace and privacy of the residents of the Commonwealth.

PETITION OF:

NAME:

*John J. Binienda*

DISTRICT/ADDRESS:

*17th Worcester*

**HOUSE . . . . . No. 4379**

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By Mr. Binienda of Worcester, a petition (subject to Joint Rule 12) of John J. Binienda relative to unfair or deceptive business practices. Consumer Protection and Professional Licensure.

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The Commonwealth of Massachusetts

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In the Year Two Thousand Twelve  
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An Act to protect the peace and privacy of the residents of the Commonwealth.

*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. Chapter 93 of the General Laws as appearing in the 2010 official edition is  
2 hereby amended by inserting after subsection (d) in section 49, the following section:

3 (e) Notwithstanding any rule, regulation, or General Law to the contrary, and except in  
4 the case of express permission of a court of competent jurisdiction, or as reasonably necessary to  
5 effectuate a post-judgment judicial remedy, a debt collector shall not communicate with any  
6 person other than the debtor, his attorney, a consumer reporting agency if otherwise permitted by  
7 law, the creditor, the attorney of the creditor, or the attorney of the debt collector. Express  
8 permission given by the debtor to contact the third party shall not exempt the debt collector from  
9 the provisions set forth under this paragraph. Any violation of this paragraph shall constitute an  
10 unfair or deceptive business practice as outlined by Chapter 93A of the General Laws.