

SECOND REGULAR SESSION

# HOUSE BILL NO. 991

## 93RD GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVES SATER (Sponsor), MUSCHANY,  
WALLACE AND DUSENBERG (Co-sponsors).

Pre-filed December 1, 2005 and copies ordered printed.

STEPHEN S. DAVIS, Chief Clerk

3220L.011

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### AN ACT

To amend chapter 367, RSMo, by adding thereto one new section relating to extension of credit for a consumer loan.

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*Be it enacted by the General Assembly of the state of Missouri, as follows:*

Section A. Chapter 367, RSMo, is amended by adding thereto one new section, to be  
2 known as section 367.600, to read as follows:

**367.600. 1. A solicitation for an extension of credit for a consumer loan shall not  
2 be made through the use of an unsolicited check, unsolicited convenience check, or other  
3 unsolicited negotiable instrument sent by a credit card issuer, financial institution, or other  
4 lender to a consumer who resides in this state.**

**5 2. For purposes of this section, unsolicited check, unsolicited convenience check, or  
6 other unsolicited negotiable instrument does not include a check or instrument that is  
7 requested or authorized by a consumer through an application or other communication  
8 prior to receiving the check or instrument.**

**9 3. If a credit card issuer, financial institution, or other lender includes an  
10 unsolicited check or other negotiable instrument in a solicitation to a consumer for an  
11 extension of credit that the consumer has not applied for or requested, in violation of this  
12 section, the credit card issuer, financial institution, or other lender, and not the consumer,  
13 shall be liable for the amount of the check or other instrument and any insufficient funds  
14 fees.**

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

15           **4. This section does not apply to a solicitation for a consumer loan made on or**  
16 **before, or a consumer loan in existence on, January 1, 2007.**

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