

LEGISLATIVE BILL 206

Approved by the Governor April 20, 1989

Introduced by L. Johnson, 15

AN ACT relating to collection agencies; to amend sections 45-606, 45-620, and 45-621, Reissue Revised Statutes of Nebraska, 1943; to provide for the fixing of certain fees; to provide maximum amounts for such fees; to provide duties for the Secretary of State; to harmonize provisions; and to repeal the original sections.

Be it enacted by the people of the State of Nebraska,

Section 1. That section 45-606, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

45-606. Any person, firm, corporation, or association desiring to engage in this state in the collection business as defined in sections 45-601 to 45-622 shall make written and sworn application for a license therefor to the Secretary of State upon a form to be prescribed by the Secretary of State, which application shall be accompanied by an investigation fee of one hundred not to exceed two hundred fifty dollars. The amount of the fee shall be fixed by the Secretary of State and shall not exceed the amount actually necessary to sustain the administration and enforcement of such sections. Such application shall be accompanied by a duly verified financial statement of the applicant in a form prescribed by the Secretary of State.

Sec. 2. That section 45-620, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

45-620. No license, renewal of license, branch office certificate, or solicitor's certificate, as provided for in sections 45-601 to 45-622, shall be issued by the Secretary of State until the following fees have been paid to the Secretary of State: For a license, one not to exceed two hundred dollars; for renewal of a license, fifty not to exceed one hundred dollars; for a branch office certificate, thirty-five not to exceed fifty dollars; for renewal of a branch office certificate, twenty-five not to exceed thirty-five dollars; for a solicitor's certificate, three dollars; and for renewal of a solicitor's

certificate, not to exceed ten three dollars. The amount of the fees shall be fixed by the Secretary of State and shall not exceed the amounts actually necessary to sustain the administration and enforcement of such sections.

Sec. 3. That section 45-621, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

45-621. All fees collected under sections 45-601 to 45-622 shall be transmitted as received to the State Treasurer for deposit in the state treasury to the credit of a special fund to be known as the Nebraska Collection Agency Fund. The Secretary of State may use ~~such part of~~ the fund as may be necessary for the proper administration and enforcement of such sections. The fund shall be paid out only on proper vouchers approved by the Secretary of State and upon warrants issued by the Director of Administrative Services and countersigned by the State Treasurer as provided by law. All fees and expenses of the Attorney General in representing the Secretary of State pursuant to sections 45-601 to 45-622 shall be paid out of such fund. Any money in the Nebraska Collection Agency Fund available for investment shall be invested by the state investment officer pursuant to the provisions of sections 72-1237 to ~~72-1269~~ 72-1276.

Sec. 4. That original sections 45-606, 45-620, and 45-621, Reissue Revised Statutes of Nebraska, 1943, are repealed.