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**DIVISION 3. OBLIGATIONS [1427 - 3273.69]** ( *Heading of Division 3 amended by Stats. 1988, Ch. 160, Sec. 14. )*

**PART 4. OBLIGATIONS ARISING FROM PARTICULAR TRANSACTIONS [1738 - 3273.69]** ( *Part 4 enacted 1872. )*

**TITLE 1.6C.17. Fair Debt Settlement Practices [1788.300 - 1788.307]** ( *Title 1.6C.17 added by Stats. 2021, Ch. 454, Sec. 1. )*

**CHAPTER 2. Application of the Fair Debt Settlement Practices Act [1788.303 - 1788.304]** ( *Chapter 2 added by Stats. 2021, Ch. 454, Sec. 1. )*

**1788.303.** This title applies to persons providing payment processing services, debt settlement services, and persons purporting to engage in debt settlement services.

(*Added by Stats. 2021, Ch. 454, Sec. 1. (AB 1405) Effective January 1, 2022.*)

**1788.304.** This title does not apply to any of the following:

(a) Any person, or the person's authorized agent, doing business under license and authority of the Commissioner of Financial Protection and Innovation under Divisions 1.1 (commencing with Section 1000), 2 (commencing with Section 5000), and 5 (commencing with Section 14000) of the Financial Code or under any law of this state or of the United States relating to banks or credit unions.

(b) Any nonprofit business organization that is certified as tax-exempt by the Internal Revenue Service and that does not receive compensation from the consumer for providing debt settlement services.

(c) Attorneys and law firms that meet all of the following criteria:

(1) The attorney or law firm does not charge for services regulated by this title.

(2) The fees and disbursements are not charges or costs shared, directly or indirectly, with a debt settlement provider.

(3) Any of the following is true:

(A) The attorney or law firm is retained by a consumer for the purpose of legal representation in consumer debt litigation.

(B) The attorney or law firm provides debt settlement services pursuant to representation by retainer for a debt collection matter that does not involve consumer debt.

(C) The attorney or law firm is retained by the consumer primarily for purposes other than the settlement of consumer debt.

(d) A merchant-owned credit or creditors association, or a member-owned, member-controlled, or member-directed association whose principal function is that of servicing the community as a reporting agency.

(*Added by Stats. 2021, Ch. 454, Sec. 1. (AB 1405) Effective January 1, 2022.*)