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Sequence Number: 09-14-14
 Notice ID(s): 2223
 File Date: 9-12-14

Notice of Rulemaking Hearing

Hearings will be conducted in the manner prescribed by the Uniform Administrative Procedures Act, T.C.A. § 4-5-204. For questions and copies of the notice, contact the person listed below.

Agency/Board/Commission:	Tennessee Collection Service Board
Division:	Division of Regulatory Boards, Department of Commerce and Insurance
Contact Person:	Chris Whittaker
Address:	500 James Robertson Parkway, Nashville, TN 37243
Phone:	(615) 741-3072
Email:	Chris.Whittaker@tn.gov

Any Individuals with disabilities who wish to participate in these proceedings (to review these filings) and may require aid to facilitate such participation should contact the following at least 10 days prior to the hearing:

ADA Contact:	Don Coleman
Address:	500 James Robertson Parkway, 5 th Floor, Nashville, TN 37243
Phone:	(615) 741-6500
Email:	Don.Coleman@tn.gov

Hearing Location(s) (for additional locations, copy and paste table)

Address 1:	500 James Robertson Parkway		
Address 2:	1 st Floor, Conference Room 1-B		
City:	Nashville, TN		
Zip:	37243		
Hearing Date :	11/12/14		
Hearing Time:	9:30 A.M.	<input checked="" type="checkbox"/> X CST/CDT	<input type="checkbox"/> EST/EDT

Additional Hearing Information:

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Revision Type (check all that apply):

- Amendment
 New
 Repeal

Rule(s) (ALL chapters and rules contained in filing must be listed. If needed, copy and paste additional tables to accommodate more than one chapter. Please enter only **ONE** Rule Number/Rule Title per row.)

Chapter Number	Chapter Title
0320-1	Licensing
Rule Number	Rule Title
0320-1-.1	Qualifications of Applicants
0320-1-.2	Examinations
0320-1-.3	Fees

Chapter 0320-01
Collection Service Board, Licensing

Amendments

Rule 0320-01-.01 Qualification of Applicants is amended by deleting paragraphs (1) and (2) in their entirety and by adding new paragraphs (1)-(6) to read as follows:

- (1) Upon receipt of a completed application for a license as a collection service, the Collection Service Board (or its designees) shall commence an investigation to determine the applicant's fitness to engage in the collection service business. Such investigation shall include, but not be limited to:
 - (a) Verification of the applicant's financial statement;
 - (b) Evaluation of the applicant's financial responsibility with verification through a credit bureau report;
 - (c) Assessment of the applicant's business background and experience;
 - (d) Contact with character references
- (2) An applicant for licensure meeting the requirements of T.C.A. § 4-3-1304(d)(1) may:
 - (a) Be issued a license under this chapter upon application and payment of all fees required for issuance of a regular license of the same type if, in the opinion of the Board, the requirements for certification or licensure of such other state are substantially equivalent to that required in Tennessee; or
 - (b) Be issued a temporary permit as described herein if the Board determines that the applicant's license does not meet the requirements for substantial equivalency, but that the applicant could perform additional acts, including - but not limited to - education, training, or experience, in order to meet the requirements for the license to be substantially equivalent. The Board may issue a temporary permit upon application and payment of all fees required for issuance of a regular license of the same type, which shall allow such person to perform services as if fully licensed for a set period of time that is determined to be sufficient for the applicant to complete such requirements.
 1. After completing those additional requirements and providing the Board with sufficient proof thereof as may be required, a full license shall be issued to the applicant with an issuance date of the date of the original issuance of the temporary permit and an expiration date as if the full license had been issued at that time.
 2. A temporary permit shall be issued for a period of less than the length of a renewal cycle for a full license.
 3. A temporary permit shall expire upon the date set by the Board and shall not be subject to renewal except through the completion of the requirements for substantial equivalency as required by the Board or by an extension of time granted for good cause by the Board.
 4. Should an extension to a temporary permit cause the permit to be in effect longer than the renewal cycle of a full license, the holder of the temporary permit shall file a renewal application with such documentation and fees, including completion of continuing education, as are required by the Board for all other renewals of a full license of the same type.
- (3) Military education, training, or experience completed by a person described at T.C.A. § 4-3-1304(d)(1)(B)(ii)(a)-(c) shall be accepted toward the qualifications, in whole or in part, to receive any license issued by the Board if such military education, training, or

experience is determined by the Board to be substantially equivalent to the education, training, or experience required for the issuance of such license.

- (4) Any licensee who is a member of the National Guard or a reserve component of the armed forces of the United States called to active duty whose license expires during the period of activation shall be eligible for renewal upon the licensee being released from active duty without:
 - (a) Payment of late fees or other penalties;
 - (b) Obtaining continuing education credits when:
 1. Circumstances associated with the person's military duty prevented the obtaining of continuing education credits and a waiver request has been submitted to the Board; or
 2. The person performs the licensed or certified occupation as part of such person's military duties and provides documentation sufficient to demonstrate such to the Board, or;
 - (c) Performing any other similar act typically required for the renewal of a license or certification.
- (5) The license, certification, or permit shall be eligible for renewal pursuant to paragraph (4) for six (6) months from the person's release from active duty.
- (6) Any person renewing under paragraph (4) shall provide the Board such supporting documentation evidencing activation as may be required by the Board prior to renewal of any license pursuant to that paragraph.

Authority: T.C.A. §§ 62-20-104 and 4-3-1304.

Rule 0320-01-.02 Examinations is amended by deleting the text of the rule in its entirety.

Authority: T.C.A. §§ 62-20-104.

Rule 0320-01-.03 Fees is amended by deleting paragraphs (2), (3), and (8) and by renumbering the remaining paragraphs to read as follows:

- (1) An application for a collection license as a collection service shall be accompanied by a nonrefundable fee of one hundred fifty dollars (\$150.00).
- (2) The Board shall grant a collection service license to qualified applicants upon receipt of six hundred dollars (\$600.00), which shall not be prorated for any portion of a year.
- (3) Solicitor's identification cards shall be obtainable by written application of the licensee, accompanied by an annual fee of twenty-five dollars (\$25.00) each.
- (4) Application for renewal of a collection service license shall be accompanied by a fee of three hundred and fifty dollars (\$350.00).
- (5) The fee for each branch office located in this state shall be one hundred dollars (\$100.00).
- (6) The renewal fee for each branch office located in this state shall be one hundred dollars (\$100.00).
- (7) All licensees shall be subject to late renewal for a period of sixty (60) days following their expiration date by payment of the prescribed fee plus a penalty of one hundred dollars (\$100.00).

I certify that the information included in this filing is an accurate and complete representation of the intent and scope of rulemaking proposed by the agency.

Date: September 12, 2014

Signature: *Chris White*

Name of Officer: Christopher R. Whittaker, Esq.

Title of Officer: Asst. General Counsel, Tennessee Dept. of Commerce & Insurance

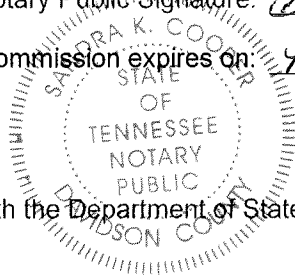
Subscribed and sworn to before me on: September 12, 2014

Notary Public Signature: *Sandra K. Cooper*

My commission expires on: May 5, 2015

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Filed with the Department of State on: 9-12-14



Tre Hargett
Tre Hargett
Secretary of State

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