

13-42-103 Exempt agreements and persons.

- (1) This chapter does not apply to an agreement with an individual who the provider has no reason to know resides in this state at the time of the agreement.
- (2) This chapter does not apply to a provider to the extent that the provider:
 - (a) provides or agrees to provide debt-management, educational, or counseling services to an individual who the provider has no reason to know resides in this state at the time the provider agrees to provide the services; or
 - (b) receives no compensation for debt-management services from or on behalf of the individuals to whom it provides the services or from their creditors.
- (3) This chapter does not apply to the following persons or their employees when the person or the employee is engaged in the regular course of the person's business or profession:
 - (a) a judicial officer, a person acting under an order of a court or an administrative agency, or an assignee for the benefit of creditors;
 - (b) a bank;
 - (c) an affiliate, as defined in Subsection 13-42-102(2)(b)(i), of a bank if the affiliate is regulated by a federal or state banking regulatory authority; or
 - (d) a title insurer, escrow company, or other person that provides bill-paying services if the provision of debt-management services is incidental to the bill-paying services.

Enacted by Chapter 154, 2006 General Session