

2025 Regular Session

HOUSE BILL NO. 582

BY REPRESENTATIVE LACOMBE

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

FINANCIAL INSTITUTIONS: Provides relative to deferred presentment transactions and small loans

1 AN ACT

2 To amend and reenact R.S. 9:3578.3(2)(c) and 3578.4(A)(1) and to enact R.S. 9:3578.4(D)
3 and 3578.6(A)(9), relative to deferred presentment transactions and small loans; to
4 revise a definition; to provide for finance charge and fees; to provide for the
5 calculation of a new maximum outstanding principal balance; to provide for lending
6 information; to prohibit certain acts; and to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 9:3578.3(2)(c) and 3578.4(A)(1) are hereby amended and reenacted
9 and R.S. 9:3578.4(D) and 3578.6(A)(9) are hereby enacted to read as follows:

10 §3578.3. Definitions

11 As used in this Chapter, the following terms have the following meanings
12 ascribed to them:

13 * * *

14 (2) "Deferred presentment transaction" means a transaction made pursuant
15 to a written agreement whereby a licensee:

16 * * *

17 (c) Pays to the issuer of the check the amount of the check less the fee
18 permitted in R.S. 9:3578.4(A). The amount paid to the issuer of the check may not
19 exceed ~~three hundred fifty~~ seven hundred dollars.

20 * * *

§3578.4. Finance charge and fees

A.(1) In conjunction with a deferred presentment transaction or small loan, a licensee may charge a fee not to exceed sixteen and seventy-five one hundredths percent of the face amount of the check issued or in the case of a small loan, the equivalent rate of interest, ~~provided however that such fee or interest does not exceed forty-five dollars, regardless of the name or type of charge.~~

* * *

D. Beginning January 1, 2026, the Office of Financial Institutions shall issue a memo authorizing a new maximum outstanding principal balance permitted. The new amount shall be calculated by applying any increase or decrease in the United States Bureau of Labor Statistics Consumer Price Index for all Urban Consumers (CPI-U) for the previous calendar year to the previous maximum outstanding principal balance and rounding the amount upward to the nearest ten-dollar increment.

* * *

§3578.6. Prohibited acts

A. A licensee shall not:

* * *

(9) Report any negative information about its customers to any credit bureau or credit reporting service.

* * *

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 582 Engrossed

2025 Regular Session

LaCombe

Abstract: Provides relative to deferred presentment transactions and small loans.

Present law defines "commissioner", "deferred presentment transaction", "licensee", "partial payment", "prepayment", and "small loan".

Proposed law changes the monetary amount provided for in the deferred presentment transaction definition. Proposed law otherwise retains present law.

Present law allows a licensee, in conjunction with a deferred presentment transaction or small loan, to charge a fee not to exceed a certain percentage as specified in present law (R.S. 9:3578.4(A)) of the face amount of the check issued, or in the case of a small loan, the equivalent rate of interest, provided, however, that such fee or interest does not exceed \$45.00, regardless of the name or type of charge.

Proposed law removes the provision that prohibits the fee or interest from exceeding \$45.00. Proposed law otherwise retains present law.

Proposed law requires the Office of Financial Institutions, beginning Jan. 1, 2026, to issue a memo authorizing a new maximum outstanding principal balance permitted. Proposed law further provides the formula for how the new amount shall be calculated.

Proposed law prohibits a licensee from reporting negative information about its customers to any credit bureau or credit reporting service.

(Amends R.S. 9:3578.3(2)(c) and 3578.4(A)(1); Adds R.S. 9:3578.4(D) and 3578.6(A)(9))

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Commerce to the original bill:

1. Proposed law prohibits a licensee from reporting negative information about its customers to any credit bureau or credit reporting service.