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**TITLE 11 CONSUMER PROTECTION DIVISION OF
THE OFFICE OF THE ATTORNEY GENERAL**

LSA Document #02-238(F)

DIGEST

Adds 11 IAC 1-1-3.5 to define existing debt or contract in IC 24-4.7-1-1. Effective 30 days after filing with the secretary of state.

11 IAC 1-1-3.5

SECTION 1. 11 IAC 1-1-3.5 IS ADDED TO READ AS FOLLOWS:

11 IAC 1-1-3.5 “Existing debt or contract” defined

Authority: IC 4-6-9-8; IC 24-4.7-3-7

Affected: IC 24-4.7-1-1

Sec. 3.5. (a) For the purposes of IC 24-4.7-1-1, “existing debt or contract” means:

- (1) a sum of money currently owed by the consumer who receives the telephone call to the telephone solicitor making the call or to the person who contracted, hired, or authorized the telephone solicitor making the call; or**
- (2) a legally binding agreement currently in effect between the consumer who receives the call and the telephone solicitor making the call or the person who contracted, hired, or authorized the telephone solicitor making the call.**

(b) For the purposes of IC 24-4.7-1-1, an “existing debt or contract” does not include:

- (1) an existing debt that the consumer has with a person other than the telephone solicitor making the call or the person who contracted, hired, or authorized the telephone solicitor making the call; or**
- (2) an existing contract that the consumer has with a person other than the telephone solicitor making the call or the person who contracted, hired, or authorized the telephone solicitor making the call.**

(Consumer Protection Division of the Office of the Attorney General; 11 IAC 1-1-3.5; filed Feb 17, 2003, 9:54 a.m.: 26 IR 2300)

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Incorporated Documents Filed with Secretary of State: None