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

**Proposed Rule**  
LSA Document #02-238

**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, AS ADDED AT 25 IR 1854, SECTION 1, IS AMENDED BY ADDING A NEW SECTION 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 owed by the consumer who receives the telephone call to telephone solicitor making the call; or**
- (2) a legally binding agreement between the telephone solicitor making the call and the consumer who receives the call from the telephone solicitor.**

**(b) For the purposes of this title, “existing debt or contract” does not include:**

- (1) an existing debt that the consumer has with an entity other than the telephone solicitor; or**
- (2) an existing contract that the consumer has with an entity other than the telephone solicitor.**

*(Consumer Protection Division of the Office of the Attorney General; 11 IAC 1-1-3.5)*

***Notice of Public Hearing***

*Under IC 4-22-2-24, notice is hereby given that on November 22, 2002 at 1:15 p.m., at the Indiana Government Center-South, Office of the Attorney General’s Conference Room, 302 West Washington Street, Fifth Floor, Indianapolis, Indiana the Consumer Protection Division of the Office of the Attorney General will hold a public hearing on proposed new rules to define existing debt or contract as used in IC 24-4.7-1-1. Copies of these rules are now on file at the Indiana Government Center-South, Office of the Attorney General, 302 West Washington Street, Fifth Floor and Legislative Services Agency, One North Capitol, Suite 325, Indianapolis, Indiana and are open for public inspection.*

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