

SENATE BILL 2606
By Cooper J

AN ACT to amend Tennessee Code Annotated, Title 29 and Title 47, relative to recovery on open accounts.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 47, Chapter 2, Part 7, is amended by adding the following as an appropriately designated new section:

Section 47-2-7__.

(a) A debtor who fails to pay an open account within thirty (30) days after receipt of written demand thereof correctly setting forth the amount due and owing, shall be liable for reasonable attorney fees to be determined by the court when judgment on such claim is rendered in favor of the plaintiff.

(b) Evidence of receipt of the written demand by the debtor or such debtor's spouse on behalf of the debtor may be introduced as evidence of written demand on the debtor.

(c) For the purposes of this section, "open account" means any account due and owing to a creditor that is not a revolving or installment contract.

SECTION 2. This act shall take effect on July 1, 2002, the public welfare requiring it.

