

Article - Commercial Law

[Previous][Next]

§14–1319.

(a) (1) In this section, “gift certificate” means a device constructed of paper, plastic, or any other material that is:

(i) Sold or issued by a person for a cash value that can be used to purchase goods or services; or

(ii) Issued as a store credit for returned goods.

(2) “Gift certificate” does not include:

(i) A prepaid telephone calling card;

(ii) A prepaid technical support card;

(iii) A prepaid card for Internet services;

(iv) A coupon for discounted goods or services;

(v) A gift certificate that is distributed to an individual under an awards, loyalty, or promotional program in which the recipient does not give money or value for the gift certificate; or

(vi) A gift card that:

1. Is processed through a national credit or debit card service;
and

2. May be used to purchase goods or services from multiple unaffiliated sellers of goods or services.

(b) A person may not sell or issue a gift certificate that, within 4 years after the date of purchase, is subject to expiration or a fee or charge of any kind.

(c) Any term or condition concerning expiration or a fee or charge that takes effect more than 4 years after the date of purchase must be printed clearly in at least 10 point type in a visible place on:

(1) The front or back of the gift certificate;

(2) A sticker permanently affixed to the gift certificate; or

(3) An envelope containing the gift certificate.

(d) Unless the change benefits the consumer, a term or condition disclosed

under subsection (c) of this section may not be changed after the date of purchase or issuance.

(e) A gift certificate that is sold or issued in violation of this section shall be considered valid and may not be subject to expiration or any fee or charge.

(f) A violation of any provision of this section:

(1) Is an unfair or deceptive trade practice within the meaning of Title 13 of this article; and

(2) Is subject to the enforcement and penalty provisions contained in Title 13 of this article, except § 13-411 of this article.

[Previous][Next]