

BY: Conference Committee

AMENDMENTS TO SENATE BILL NO. 8

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, strike “unless certain conditions are met” and substitute “or certain fees or charges within a certain period after purchase; requiring disclosure of certain terms and conditions of gift certificates in a certain manner”; strike beginning with “prohibiting” in line 5 down through “fee” in line 7 and substitute “prohibiting a change of certain terms or conditions after purchase except under certain circumstances”; in line 7, after “sold” insert “or issued”; in line 8, strike “a service” and substitute “any”; strike beginning with “prohibiting” in line 9 down through “fee;” in line 10; in line 13, after “sold” insert “or issued”; in line 16, after “term;” insert “providing for a delayed effective date;”; and in line 17, after “certificates” insert “and gift cards”.

On page 2, in line 2, strike “13-301(14)(xxii) and” and substitute “13-301(14)(xxii)”; in the same line, after “14-1319” insert “, and 14-1320”; and in line 13, after “14-1319” insert “OR § 14-1320”.

AMENDMENT NO. 2

On page 2, in line 15, strike “(I)”; in the same line, strike “SUBSECTION” and substitute “SECTION”; in lines 17, 19, 20, 21, 22, 23, 24, 25, and 29, strike “1.”, “2.”, “(II)”, “1.”, “2.”, “3.”, “4.”, “5.”, and “6.”, respectively, and substitute “(I)”, “(II)”, “(2)”, “(I)”, “(II)”, “(III)”, “(IV)”, “(V)”, and “(VI)”, respectively; in line 17, after “SOLD” insert “OR ISSUED”; in line 29, after “THAT” insert “:”;

1.”;

in line 30, strike “AND THAT” and substitute “; AND”

2.”;

(Over)

and in line 31, after “MULTIPLE” insert “UNAFFILIATED”.

On page 3, strike in their entirety lines 1 through 10, inclusive, and substitute:

“(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.”;

in line 11, strike “(3)” and substitute “(E)”; in the same line, after “SOLD” insert “OR ISSUED”; in line 12, strike “PARAGRAPH (2) OF”; in the same line, strike “SUBSECTION” and substitute “SECTION”; in line 13, strike “A SERVICE” and substitute “ANY”; in the same line, after “FEE” insert “OR CHARGE”; strike in their entirety lines 14 and 15 and substitute:

“(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.

14-1320.”;

in line 16, strike “(B) (1)” and substitute “(A)”; in the same line, strike “SUBSECTION” and substitute “SECTION”; in the same line, after “THAT” insert “:

(1)”;

in line 17, after “SERVICE” insert “; AND

(2) MAY BE USED TO PURCHASE GOODS OR SERVICES FROM MULTIPLE UNAFFILIATED SELLERS OF GOODS AND SERVICES”;

in lines 18, 23, 25, 26, 27, 29, 31, and 32, strike “(2)”, “(I)”, “(II)”, “1.”, “2.”, “3.”, “4.”, and “(3)”, respectively, and substitute “(B)”, “(1)”, “(2)”, “(I)”, “(II)”, “(III)”, “(IV)”, and “(C)”, respectively; in line 22, strike “10-POINT” and substitute “10 POINT”; in line 32, strike “PARAGRAPH (2) OF THIS”; in line 33, after “SUBSECTION” insert “(B) OF THIS SECTION”; in the same line, after “SELLER” insert “OR ISSUER”; and in line 35, after “SOLD” insert “OR ISSUED”.

On page 4, in lines 1, 3, and 6, strike “(4)”, “(I)”, and “(II)”, respectively, and substitute “(D)”, “(1)”, and “(2)”, respectively; in line 2, strike “PARAGRAPH (2) OF THIS”; in the same line, after “SUBSECTION” insert “(B) OF THIS SECTION”; in lines 3 and 6, in each instance, after “SOLD” insert “OR ISSUED”; in lines 3 and 6, in each instance, after “SELLER” insert “OR ISSUER”; after line 8, insert:

“(E) UNLESS THE CHANGE BENEFITS THE CONSUMER, A TERM OR CONDITION DISCLOSED UNDER SUBSECTION (B) OF THIS SECTION MAY NOT BE CHANGED AFTER THE DATE OF PURCHASE OR ISSUANCE.”;

in line 9, strike “(C)” and substitute “(F)”; in line 13, strike “THE PROVISIONS OF”; and in line 20, strike “2005” and substitute “2006”.