

HB1560/383693/1

BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL 1560
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Public Health” and substitute “Consumer Protection”; in line 2, strike “Undergarments and Bathing Suits” and substitute “Underwear”; in line 4, after “of” insert “requiring that the sale of unpackaged underwear or an unsealed package of multiple pairs of underwear at a retail establishment be a final sale except under certain circumstances; allowing a retail establishment to accept certain underwear for return and a refund or exchange;”; in line 5, strike “undergarments or bathing suits” and substitute “underwear”; in the same line, strike “have” and substitute “has”; in lines 9 and 10, strike “undergarments and bathing suits” and substitute “underwear”; in line 12, strike “Health – General” and substitute “Commercial Law”; in line 13, strike “18-405” and substitute “14-1322”; in line 15, strike “2009” and substitute “2005”; and in the same line, after “Volume” insert “and 2009 Supplement”.

AMENDMENT NO. 2

On page 1, in line 18, strike “Health – General” and substitute “Commercial Law”; and in line 19, strike “**18-405.**” and substitute “**14-1322.**”.

On page 2, in line 2, strike “**GOODS OR SERVICES**” and substitute “**CONSUMER GOODS OR CONSUMER SERVICES**”; in the same line, strike “**THE ULTIMATE USER OR**” and substitute “**A**”; strike beginning with “**FOR**” in line 2 down through the second “**USE**” in line 3; in line 4, strike beginning with “**(3)**” through “**MEANS**” and substitute “**(3) (I) “UNDERWEAR” MEANS**”; in the same line, strike “**AN**” and substitute “**A LONG OR SHORT**”; strike beginning with “**AN**” in line 5 down through “**HALF.**” in line 6 and substitute “**THE LOWER HALF OF AN INDIVIDUAL’S BODY THAT HAS A**”.

(Over)

SEPARATE OPENING FOR EACH LEG AND IS WORN FOR THE PRIMARY PURPOSE OF PERSONAL HYGIENE.

(II) “UNDERWEAR” DOES NOT INCLUDE:

1. SLIPS;
2. DIAPERS;
3. ADULT INCONTINENCE UNDERGARMENTS; OR
4. PERSONAL PROTECTIVE EQUIPMENT.”;

in lines 8 and 11, in each instance, strike “UNDERGARMENTS OR BATHING SUITS” and substitute “UNDERWEAR”; in line 10, after “SECONDHAND;” insert “OR”; strike beginning with the semicolon in line 12 down through “BOTTOMS” in line 14; in line 15, after “(C)” insert “(1)”; and strike beginning with “A” in line 15 down through “ESTABLISHMENT.” in line 17 and substitute “EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, THE SALE OF UNPACKAGED UNDERWEAR OR AN UNSEALED PACKAGE OF MULTIPLE PAIRS OF UNDERWEAR AT A RETAIL ESTABLISHMENT SHALL BE FINAL.”

(2) A RETAIL ESTABLISHMENT MAY ACCEPT FOR RETURN AND A REFUND OR EXCHANGE PREVIOUSLY SOLD UNPACKAGED UNDERWEAR OR AN UNSEALED PACKAGE OF MULTIPLE PAIRS OF UNDERWEAR IF THE UNDERWEAR IS DEFECTIVE OR DAMAGED.

(3) A RETAIL ESTABLISHMENT MAY NOT SELL TO ANOTHER CONSUMER PREVIOUSLY SOLD UNPACKAGED UNDERWEAR OR AN UNSEALED

HB1560/383693/1
Amendments to HB 1560
Page 3 of 3

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**PACKAGE OF MULTIPLE PAIRS OF UNDERWEAR ACCEPTED FOR RETURN UNDER
PARAGRAPH (2) OF THIS SUBSECTION.”.**