

# 1st Sub. H.B. 261

## GIFT CERTIFICATES - ELIMINATING EXPIRATION DATE

HOUSE FLOOR AMENDMENTS

AMENDMENT 2

FEBRUARY 25, 2004 8:30 AM

Representative **Ty McCartney** proposes the following amendments:

1. Page 2, Line 56 through Page 3, Line 57:

**(3) "Control" means:**

**(a) ownership of more than 5% of the voting shares or ownership interests of an entity;**

**(b) the power to vote more than 5% of the voting shares of an entity; or**

**(b) the ability to influence the management of an entity.**

56 ~~[(3)]~~ **(4)** "Enforcing authority" means the Division of Consumer Protection.

57 ~~[(4)]~~ **(5)** "Final judgment" means a judgment, including any supporting opinion, that

2. Page 3, Line 60:

60 ~~[(5)]~~ **(6)** (a) Except as provided in Subsection ~~[(5)]~~ **(6)** (b), "gift certificate" means a certificate.

3. Page 3, Lines 71 through 73:

71 (b) "Gift certificate" does not include :

**(i)** a financial transaction card as defined in Section

72 13-38-101 ~~[(1)]~~ **; or**

**(ii) a certificate, electronic card, or other medium issued by:**

**(A) a depository institution, as defined in Section 7-1-103; or**

**(B) an entity that:**

**(I) controls a depository institution, as defined in Section 7-1-103;**

**(II) is controlled by an entity that controls a depository institution, as defined in Section 7-1-103;**

**or**

**(III) is controlled by a depository institution, as defined in Section 7-1-103.**

73 ~~[(5)]~~ ~~[(6)]~~ **(7)** "Person" means an individual, corporation, government, governmental

4. Page 3, Line 76:

76 ~~[(6)]~~ ~~[(7)]~~ **(8)** "Supplier" means a seller, lessor, assignor, offeror, broker, or other person

5. Page 6, Line 159:

159 (s) imposes on a gift certificate **with a value exceeding \$25** :