

# 1st Sub. S.B. 68

## NEW AUTOMOBILE FRANCHISE ACT AMENDMENTS

SENATE COMMITTEE AMENDMENTS

AMENDMENT 1

FEBRUARY 17, 2012 1:34 PM

Senator **Scott K. Jenkins** proposes the following amendments:

1. *Page 13, Line 390:*

390 incentive, or program that is offered to but declined **or not accepted** by a franchisee, even if a similar  
400 payment

2. *Page 14, Lines 402 through 410:*

402 (14) **(a)** Subsection (1)(pp)(i) does not apply to:  
403 ~~{(a)}~~ **(i)** signage purchased by a franchisee in which the franchisor has an intellectual  
404 property right; or  
405 ~~{(b)}~~ **(ii)** a good used in a facility construction, alteration, or remodel that is:  
406 ~~{(i)}~~ **(A)** a moveable interior display that contains material subject to a franchisor's  
407 intellectual property right; or  
408 ~~{(ii)}~~ **(B)** specifically eligible for reimbursement of over one-half its cost pursuant to a  
409 franchisor or distributor program or incentive granted to the franchisee on reasonable, written  
410 terms.

**(b) Subsection (1)(pp)(ii) may not be construed to allow a franchisee to:**  
**(i) impair or eliminate a franchisor's intellectual property right; or**  
**(ii) erect or maintain a sign that does not conform to the franchisor's reasonable fabrication**  
**specifications and intellectual property usage guidelines.**