

## S.B. 262

# SALES REPRESENTATIVE COMMISSION PAYMENT ACT AMENDMENTS

SENATE COMMITTEE AMENDMENTS

AMENDMENT 1

MARCH 8, 2019 11:08 AM

Senator **Kirk A. Cullimore** proposes the following amendments:

1. *Page 1, Lines 14 through 15:*

14           ▶       excludes a participant in a {~~multilevel marketing~~} direct sales company from the  
                          definition of  
15    "sales representative"; and

2. *Page 2, Lines 41 through 54:*

41           (3)(a) " {~~Multilevel marketing~~} Direct sales company" means a person that:  
42           (i) sells, distributes, or supplies for consideration a good or service through  
43           participants:  
44           (A) at different levels of distribution; or  
45           (B) in accordance with a formula for compensating participants in whole or in part  
46           based on:  
47           (I) the sale of a good or service; and  
48           (II) the recruitment of or the performance or action of another participant; and  
49           (ii) (A) permits participants to recruit other participants to sell, distribute, or supply for  
50           consideration the person's good or service; or  
51           (B) provides for commission, cross-commissions, override commissions, bonuses,  
52           refunds, dividends, or other consideration that is or may be paid as a result of:  
53           (I) the sale of a good or service; or  
54           (II) the recruitment of or the performance or action of another participant.

3. *Page 3, Lines 81 through 82:*

81           (vii) an independent agent, contractor, or distributor through whom a {~~multilevel~~  
82           marketing} direct sales company supplies for consideration a good or service.