

HOUSE COMMITTEE OF REFERENCE REPORT

_____ May 26, 2021
Chair of Committee Date

Committee on Business Affairs & Labor.

After consideration on the merits, the Committee recommends the following:

SB21-091 be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation:

- 1 Amend reengrossed bill, page 2, strike lines 7 and 8 and substitute
- 2 "~~transaction or any company issuing credit or charge cards~~ may impose
- 3 a surcharge on a ~~holder~~ BUYER OR LESSEE who elects to use a credit or
- 4 charge card in lieu of".

- 5 Page 3, line 7, after "OF" insert "CASH, A CHECK, OR".

- 6 Page 3, line 11, before "SELLER'S" insert "SELLER OR LESSOR OR THE".

- 7 Page 4, line 2, after "OF" insert "CASH, A CHECK, OR".

- 8 Page 4, line 4, strike "SHALL" and substitute "MAY".

- 9 Page 4, after line 16 insert:
- 10 "(I) USING CASH OR A CHECK;".

- 11 Renumber succeeding subparagraphs accordingly.

- 12 Page 5, strike lines 2 through 4 and substitute:

- 13 "(3) (a) A SELLER OR LESSOR WHO VIOLATES THIS SECTION:
- 14 (I) VIOLATES THE CODE; AND
- 15 (II) IS SUBJECT TO LIABILITY AS A CREDITOR UNDER THE CODE.

1 (b) FOR PURPOSES OF LIABILITY FOR A VIOLATION OF THIS SECTION,
2 A BUYER OR LESSEE IS A CONSUMER."

3 Page 5, strike lines 5 through 8 and substitute:

4 "(4) A SELLER OR LESSOR MAY IMPOSE A SURCHARGE UNDER THIS
5 SECTION REGARDLESS OF ANY CONTRACT OR AGREEMENT THAT THE
6 SELLER OR LESSOR ENTERS INTO ON OR AFTER THE EFFECTIVE DATE OF
7 THIS SUBSECTION (4)."

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