

HOUSE FLOOR AMENDMENT

Second Reading

BY REPRESENTATIVE Kipp

1 Amend the Business Affairs and Labor Committee Report, dated April
2 28, 2021, page 8, line 31, after "(c)" insert "(I)".

3 Page 8, strike line 36 and substitute:
4 "ATTENTION TO THE LANGUAGE.
5 (II) IN THE CASE OF AN AUDIO DISCLOSURE,".

6 Page 8, after line 39, insert:
7 "(III) AN ONLINE LINK PRESENTED AS PART OF AN OFFER THAT
8 DIRECTS A CONSUMER TO DETAILED INFORMATION ABOUT AN AUTOMATIC
9 RENEWAL CONTRACT IS "CLEAR AND CONSPICUOUS" IF IT:
10 (A) IS AVAILABLE BEFORE A CONSUMER ELECTS TO PURCHASE ANY
11 GOOD OR SERVICE SUBJECT TO THE AUTOMATIC RENEWAL CONTRACT;
12 (B) APPEARS IN CLOSE PROXIMITY TO ANY ONLINE LINK USED BY
13 THE CONSUMER TO PURCHASE ANY GOODS OR SERVICES SUBJECT TO THAT
14 CONTRACT; AND
15 (C) STATES UNAMBIGUOUSLY AND VISIBLY THAT BY PURCHASING
16 THE GOOD OR SERVICE, THE CONSUMER AGREES TO ENROLL IN AN
17 AUTOMATIC RENEWAL CONTRACT, AND THAT DETAILS MAY BE
18 PROVIDED.".

19 Page 9, lines 35 and 36, strike "AND EASY-TO-USE" and substitute
20 "EASY-TO-USE, AND READILY ACCESSIBLE".

21 Page 9, line 39, strike "CANCELLATION INTERNET" and substitute "ONLINE
22 CANCELLATION".

23 Page 9, line 41, after "ELECTRONIC" insert "DEVICE OR SERVICE OR AN
24 ELECTRONIC".

25 Page 10, strike lines 2 and 3 and substitute "CONSUMER COMPLETES A
26 REASONABLE AUTHENTICATION PROTOCOL USED SOLELY TO CONFIRM
27 THAT THE CONSUMER IS AUTHORIZED TO MAKE CHANGES TO THE
28 ACCOUNT.".

29 Page 10, line 18, after "MUST" insert "PROVIDE CLEAR AND ACCURATE
30 INFORMATION ABOUT THE IDENTITY OF THE SENDER AND".

31 Page 10, line 20, strike "FIRST-CLASS MAIL;" and substitute "MAIL;".

32 Page 10, strike lines 34 through 37 and substitute:

- 1 "PERSON SHALL SEND THE NOTICE:
2 (I) AT LEAST ONCE IN THE THIRTY DAYS DIRECTLY PRECEDING THE
3 FIRST AUTOMATIC RENEWAL THAT WOULD EXTEND THE CONTRACT
4 BEYOND A CONTINUOUS TWELVE-MONTH PERIOD; AND
5 (II) AT LEAST THIRTY DAYS BEFORE EACH AUTOMATIC RENEWAL
6 THAT OCCURS THEREAFTER OR, AT A MINIMUM, ONCE EACH TWELVE
7 MONTHS.
- 8 Page 10, strike lines 38 through 41.
- 9 Page 11, strike lines 1 through 7.
- 10 Renumber succeeding subsection accordingly.

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