

HOUSE COMMITTEE OF REFERENCE AMENDMENT

Committee on Business Affairs & Labor.

HB21-1239 be amended as follows:

1 Amend proposed committee amendment (HB1239_L.001), page 9, strike
2 lines 12 through 45 and substitute:

3 "(4) (a) A PERSON THAT SELLS A GOOD OR SERVICE TO A
4 CONSUMER PURSUANT TO AN AUTOMATIC RENEWAL CONTRACT SHALL
5 NOTIFY THE CONSUMER THAT THE AUTOMATIC RENEWAL CONTRACT WILL
6 AUTOMATICALLY RENEW OR CONTINUE UNLESS THE CONSUMER CANCELS
7 THE AUTOMATIC RENEWAL CONTRACT. THE NOTICE MUST INFORM THE
8 CONSUMER OF THE PROCESS FOR CANCELING THE AUTOMATIC RENEWAL
9 CONTRACT, AND THE PROCESS MUST BE CONSISTENT WITH SUBSECTION
10 (2)(d) OF THIS SECTION. THE PERSON SHALL PROVIDE THE NOTICE BY:

11 (I) FIRST CLASS MAIL;

12 (II) E-MAIL; OR

13 (III) ANOTHER EASILY ACCESSIBLE FORM OF COMMUNICATION,
14 SUCH AS A TEXT MESSAGE OR A MOBILE PHONE APPLICATION, IF THE
15 CONSUMER SPECIFICALLY AUTHORIZES THE PERSON TO PROVIDE NOTICE IN
16 SUCH FORM OR IF THE CONSUMER CUSTOMARILY USES SUCH FORM TO
17 COMMUNICATE WITH THE PERSON.

18 (b) A PERSON THAT SELLS A GOOD OR SERVICE TO A CONSUMER
19 PURSUANT TO AN AUTOMATIC RENEWAL CONTRACT SHALL SEND THE
20 NOTICE DESCRIBED IN SUBSECTION (4)(a) OF THIS SECTION NO MORE THAN
21 THIRTY DAYS BEFORE THE FIRST AUTOMATIC RENEWAL AND NO MORE
22 THAN THIRTY DAYS BEFORE EACH AUTOMATIC RENEWAL THEREAFTER;
23 EXCEPT THAT, IF THE INITIAL AUTOMATIC RENEWAL OR ANY SUBSEQUENT
24 AUTOMATIC RENEWAL IS FOR A TERM OF LESS THAN TWELVE MONTHS, THE
25 PERSON SHALL SEND THE NOTICE AT LEAST ANNUALLY AND AT LEAST
26 ONCE IN THE THIRTY DAYS DIRECTLY PRECEDING ANY SUBSEQUENT
27 AUTOMATIC RENEWAL THAT WOULD EXTEND THE CONTRACT BEYOND A
28 CONTINUOUS TWELVE-MONTH PERIOD."

29 Page 10, strike lines 1 through 9.

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