

SENATE COMMITTEE OF REFERENCE AMENDMENT

Committee on Judiciary.

HB25-1090 be amended as follows:

1 Amend reengrossed bill, page 4, after line 26 insert:

2 "(c) "DELIVERY NETWORK COMPANY" HAS THE MEANING SET  
3 FORTH IN SECTION 8-4-126 (1)(c).".

4 Reletter succeeding paragraphs accordingly.

5 Amend proposed committee amendment (HB1090\_L.022), page 1, strike  
6 lines 7 and 8 and substitute:

7 "Page 9 of the bill, strike lines 3 through 6 and substitute:

8 "(c) (I) NOTWITHSTANDING ANY PROVISION OF THIS SECTION TO  
9 THE CONTRARY, A DELIVERY NETWORK COMPANY IS COMPLIANT WITH  
10 SUBSECTIONS (2)(a) AND (3)(b) OF THIS SECTION IF THE DELIVERY  
11 NETWORK COMPANY DOES NOT USE DECEPTIVE, UNFAIR, AND  
12 UNCONSCIONABLE ACTS OR PRACTICES RELATED TO THE PRICING OF  
13 GOODS, SERVICES, OR PROPERTY AND:

14 (A) CLEARLY AND CONSPICUOUSLY DISCLOSES, AT THE POINT  
15 WHEN A CONSUMER VIEWS AND SELECTS A VENDOR OR GOODS OR  
16 SERVICES FOR PURCHASE, THAT AN ADDITIONAL FLAT FEE, VARIABLE FEE,  
17 OR PERCENTAGE FEE IS CHARGED, INCLUDING THE AMOUNT OF OR, IN THE  
18 CASE OF A VARIABLE FEE THAT IS DEPENDENT ON CONSUMER SELECTIONS  
19 OR DISTANCE AND TIME, THE FACTORS DETERMINING THE FEE, ANY  
20 MANDATORY FEES ASSOCIATED WITH THE TRANSACTION, AND THAT THE  
21 TOTAL PRICE OF THE SERVICES MAY VARY;

22 (B) PROVIDES AN ACCURATE DESCRIPTION OF THE RECIPIENTS AND  
23 PURPOSES OF THE ADDITIONAL FLAT FEE, VARIABLE FEE, OR PERCENTAGE  
24 FEE IN CONCISE LANGUAGE; AND

25 (C) DISPLAYS, AFTER A CONSUMER SELECTS A VENDOR OR GOODS  
26 OR SERVICES FOR PURCHASE BUT BEFORE COMPLETING THE TRANSACTION,  
27 A SUBTOTAL PAGE THAT ITEMIZES THE PRICE OF THE GOODS OR SERVICES  
28 FOR PURCHASE AND THE ADDITIONAL FLAT FEE, VARIABLE FEE, OR  
29 PERCENTAGE FEE THAT IS INCLUDED IN THE TOTAL PRICE.

30 (II) A DELIVERY NETWORK COMPANY MAY DISPLAY THE  
31 INFORMATION REQUIRED BY THIS SUBSECTION (2)(c) AS FOLLOWS:

32 (A) BY DISPLAYING ALL OF THE INFORMATION SPECIFIED IN  
33 SUBSECTION (2)(c)(I) OF THIS SECTION ON THE SAME PAGE; OR

34 (B) BY USING CONCISE LANGUAGE DISPLAYED VIA REASONABLE  
35 AND ACCESSIBLE MEANS AS DEFINED BY THE ATTORNEY GENERAL BY  
36 RULE."."

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