

Senate Bill 443

By: Senators Adelman of the 42nd and Seabaugh of the 28th

A BILL TO BE ENTITLED
AN ACT

1 To amend Code Section 10-1-393 of the Official Code of Georgia Annotated, relating to
2 unfair or deceptive practices in consumer transactions, so as to provide a short title; to
3 prohibit the imposition of nonuse, handling, dormancy, or maintenance fee on gift cards and
4 gift certificates issued by merchants or persons acting on behalf of merchants; to provide for
5 related matters; to provide an effective date; to repeal conflicting laws; and for other
6 purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 This Act shall be known and may be cited as the "Gift Card Integrity Act of 2004."

10 **SECTION 2.**

11 Code Section 10-1-393 of the Official Code of Georgia Annotated, relating to unfair or
12 deceptive practices in consumer transactions, is amended by striking the word "or" at the end
13 of paragraph (31) of subsection (b), striking the period and inserting "; or" at the end of
14 paragraph (32) of subsection (b), and adding a new paragraph (33) to subsection (b) to read
15 as follows:

16 "(33) Imposing a nonuse, handling, dormancy, or maintenance fee on gift cards and gift
17 certificates issued by merchants or persons acting on behalf of merchants. Such cards
18 and certificates shall be redeemable for merchandise or cash by the holder with the
19 merchant issuing such card or certificate or on whose behalf such card or certificate was
20 issued at any time for the full value of the card or certificate."

21 **SECTION 3.**

22 This Act shall become effective upon its approval by the Governor or upon its becoming law
23 without such approval.

1 **SECTION 4.**

2 All laws and parts of laws in conflict with this Act are repealed.