

Senate Study Bill 3069

SENATE FILE _____
BY (PROPOSED COMMITTEE ON
COMMERCE BILL
BY CHAIRPERSON BEHN)

Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to fees charged for delayed redemption of
2 electronic gift cards.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
4 TLSB 6051SC 80
5 kk/pj/5

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1 1 Section 1. Section 556.9, subsection 2, Code Supplement
1 2 2003, is amended to read as follows:
1 3 2. An issuer of a gift certificate shall not deduct from
1 4 the face value of the gift certificate any charge imposed due
1 5 to the failure of the owner of the gift certificate to present
1 6 the gift certificate in a timely manner, unless a valid and
1 7 enforceable written contract exists between the issuer and the
1 8 owner of the gift certificate pursuant to which the issuer
1 9 regularly imposes such charges and does not regularly reverse
1 10 or otherwise cancel them. For purposes of this subsection,
1 11 "gift certificate" means a merchandise certificate or
1 12 electronic gift card conspicuously designated as a gift
1 13 certificate or electronic gift card, and generally purchased
1 14 by a buyer for use by a person other than the buyer.

1 15 EXPLANATION

1 16 This bill amends the definition of "gift certificate" to
1 17 include electronic gift cards with regard to disposition of
1 18 unclaimed property. The bill would prohibit an issuer of a
1 19 gift card from deducting a fee from a gift card that is not
1 20 presented for redemption in a timely manner where no valid
1 21 contract exists to deduct the fee.

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