

HOUSE BILL No. 2674

By Representative Huff

1-23

AN ACT relating to gift certificates; concerning certain restrictions.

Be it enacted by the Legislature of the State of Kansas:

Section 1. (a) On and after January 1, 2003, no person, firm, partnership, association or corporation shall sell a gift certificate to a purchaser containing an expiration date. Any gift certificate sold after that date shall be redeemable in cash for its cash value or subject to replacement with a new gift certificate at no cost to the purchaser or holder.

(b) A gift certificate sold without an expiration date is valid until redeemed or replaced.

(c) This section shall not apply to any of the following gift certificates issued on and after January 1, 2003, provided the expiration date appears in capital letters in at least 10-point font on the front of the gift certificate:

(1) Gift certificates that are distributed by the issuer to a consumer pursuant to an awards, loyalty or promotional program without any money or other thing of value being given in exchange for the gift certificate by the consumer; or

(2) gift certificates that are sold below face value at a volume discount to employers or to nonprofit and charitable organizations for fund-raising purposes if the expiration date on such gift certificates is not more than 30 days after the date of sale.

(d) Violation of this section shall be deemed an unconscionable act as defined by K.S.A. 50-627, and amendments thereto.

(e) This section shall be part of and supplemental to the Kansas consumer protection act.

Sec. 2. This act shall take effect and be in force from and after its publication in the statute book.