

HOUSE BILL 442

Introduced by T. Nelson, et al.

1/29	Introduced
1/29	Referred to Business & Economic Development
1/30	First Reading
2/07	Hearing
2/07	Committee Report--Bill Passed As Amended
2/09	Rereferred to Business & Economic Development Died in Committee

1 *House* BILL NO. *442*  
 2 INTRODUCED BY *Tom Wilson William Hager*

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 4 A BILL FOR AN ACT ENTITLED: "AN ACT EXCEPTING FROM THE  
 5 DEFINITION OF "PERSONAL SOLICITATION" AN ATTEMPTED SALE IN  
 6 WHICH THE SELLER HAS AN EXISTING BUSINESS RELATIONSHIP WITH  
 7 THE BUYER; AND AMENDING SECTION 30-14-502, MCA."

8  
 9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

10 **Section 1.** Section 30-14-502, MCA, is amended to read:

11 "30-14-502. Definitions. As used in this part, the  
 12 following definitions apply:

13 (1) "Buyer" means anyone who gives a consideration for  
 14 the purchase or use of goods or services.

15 (2) "Personal solicitation" means any attempt by a  
 16 seller who regularly engages in transactions of the same  
 17 kind to sell goods or services which are primarily for  
 18 personal, family, or household purposes, when either the  
 19 seller or a person acting for him contacts the buyer by  
 20 telephone or in person other than at the place of business  
 21 of the seller, except:

22 (a) an attempted sale in which the buyer personally  
 23 knows the identity of the seller, the name of the business,  
 24 firm, or organization he represents, and the identity or  
 25 kinds of goods or services offered for sale;

1 (b) an attempted sale in which the buyer has initiated  
 2 the contact with the seller;

3 (c) an attempted sale of a newspaper subscription in  
 4 which the seller is a minor engaged in both the delivery and  
 5 the sale of the newspaper; or

6 (d) an attempted sale of an insurance policy; or

7 (e) an attempted sale in which the seller has an  
 8 existing business relationship with the buyer.

9 (3) "Personal solicitation sale" means the purchase,  
 10 lease, or rental of any goods or services following a  
 11 personal solicitation by the seller or a person acting for  
 12 him, provided the buyer is required to give consideration in  
 13 excess of \$25 in cash or credit therefor.

14 (4) "Seller" means a lessor, renter, or anyone offering  
 15 goods or services for consideration, including assignee of a  
 16 seller."

-End-



-2- INTRODUCED BILL  
 HB 442

APPROVED BY COMM. ON BUSINESS AND ECONOMIC DEVELOPMENT

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 2 INTRODUCED BY T. NELSON, WILLIAMS, HAGER, SCHYE  
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 24 the name of the business, firm, or organization he  
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 2 (II) SELLER HAS AN EXISTING BUSINESS RELATIONSHIP WITH  
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 4 (b) an attempted sale in which the buyer has initiated  
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 6 (c) an attempted sale of a newspaper subscription in  
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-End-

SECOND READING

