EXHIBIT 8
DATE 1-31-05
HB 295

Amendments to House Bill No. 295
1st Reading Copy

Requested by Representative Kathleen Galvin-Halcro

For the House Business and Labor Committee

Prepared by Bartley Campbell
January 31, 2005 (7:22am)

1. Title, line 6 through line 8.
**Strike:** "REQUIRING" on line 6 through "CERTIFICATES;" on line 8

2. Title, line 8.
**Strike:** "SECTIONS"
**Insert:** "SECTION"

3. Title, line 9.
**Strike:** "70-9-802, AND 70-9-803,"

4. Page 1, line 24 through line 25.
**Strike:** subsection (5) in its entirety

5. Page 2, line 8.
**Following:** "(5)"
**Insert:** "(a)"
**Strike:** "has" through "70-9-802"
**Insert:** "means a record, including a gift card, that is provided for paid consideration and that indicates a promise by the issuer or seller of the record that goods or services will be provided to the possessor of the record for the value that is shown on the record or contained within the record by means of a microprocessor chip, magnetic stripe, bar code, or other electronic information storage device. The consideration provided for the gift certificate must be made in advance. The value of the gift certificate is reduced by the amount spent with each use. A gift certificate is considered trust property of the possessor if the issuer or seller of the gift certificate declares bankruptcy after issuing or selling the gift certificate. The value represented by the gift certificate belongs to the possessor, to the extent provided by law, and not to the issuer or seller.

(b) The term does not mean:

(i) prepaid telecommunications and technology cards, including but not limited to prepaid telephone calling cards,

prepaid technical support cards, and prepaid internet disks that have been distributed to or purchased by a consumer;

(ii) a coupon provided to a consumer pursuant to any award, loyalty, or promotion program without any money or consideration being given in exchange for the card; or

(iii) a gift certificate usable with multiple sellers of goods or services"

6. Page 2, line 17 through page 8, line 4.
**Strike:** sections 3 and 4 in their entirety
**Renumber:** subsequent sections

- END -