

REVENUE: No revenue impact

FISCAL: No fiscal impact

Action:	Do Pass as Amended and Be Printed Engrossed
Vote:	7 - 0 - 1
Yeas:	Boone, Cowan, Johnson, Schaufler, Sprenger, Clem, Jenson
Nays:	0
Exc.:	Esquivel
Prepared By:	Beth Herzog, Administrator
Meeting Dates:	2/16, 2/25

WHAT THE MEASURE DOES: Restricts amount of consideration floral order facilitator (facilitator) can receive. Defines consideration as compensation paid to facilitator in form of fee, charge, commission or any other payment for floral or plant arrangements purchased in this state. Stipulates that facilitator is allowed to receive five percent of consideration paid by consumer for receiving an order and transmitting it to direct provider. Stipulates that facilitator is allowed to receive seven percent of consideration paid by consumer for receiving an order from another facilitator and transmitting order to direct provider. Requires facilitators to pay delivery charges and other amounts to direct providers of floral or plant arrangements within reasonable time. Establishes person violating Act commits unlawful trade practice. Declares emergency, effective on passage.

ISSUES DISCUSSED:

- Currently some floral order facilitators are charging up to 20 percent to receive and transfer order to direct provider
- Unsuccessful attempts to negotiate individual fees
- Original floral order facilitators not passing on delivery charge to direct provider

EFFECT OF COMMITTEE AMENDMENT: Replaces text of measure.

BACKGROUND: Flowers by wire is the most common way of sending flowers across the country or around the world. Traditionally when someone wanted to send flowers to a loved one in another city, a hometown florist would help by contacting a trusted florist in the distant town. Today, the vast majority of flowers by wire orders are transferred between florists on proprietary data networks to ensure the speed, accuracy, and security of transmission.

House Bill 2212 A would restrict the amount of commission a floral order facilitator is allowed to charge for receiving an order or transferring an order to another facilitator or the direct floral order provider.