

HOUSE AMENDMENTS TO A-ENGROSSED SENATE BILL 577

By COMMITTEE ON CONSUMER PROTECTION AND GOVERNMENT EFFICIENCY

May 29

- 1 On page 1 of the printed A-engrossed bill, line 2, after “ORS” insert “646A.152.”
- 2 After line 4, insert:
- 3 “**SECTION 1.** ORS 646A.152 is amended to read:
- 4 “646A.152. As used in ORS 646A.150 to 646A.172:
- 5 “(1) ‘Maintenance agreement’ means a contract of limited duration that provides for scheduled
- 6 maintenance only.
- 7 “(2) ‘Obligor’ means [*the person who*] **a person that** is contractually obligated to the service
- 8 contract holder to provide service under a service contract. [*and who:*]
- 9 “[*(a) Sold the merchandise covered by the service contract;*]
- 10 “[*(b) Sells merchandise similar to that covered by the service contract; or*]
- 11 “[*(c) Is acting through or with the written consent of the manufacturer, importer or seller of the*
- 12 *merchandise covered by the service contract.*]
- 13 “(3) ‘Person’ means an individual, partnership, corporation, incorporated or unincorporated as-
- 14 sociation, joint stock company, reciprocal, syndicate or any similar entity or combination of entities
- 15 acting in concert.
- 16 “(4) ‘Service contract’ is a contract described in ORS 646A.154.
- 17 “(5) ‘Service contract holder’ or ‘contract holder’ means a person [*who is the purchaser or holder*
- 18 *of*] **that purchases or holds** a service contract.
- 19 “(6) ‘Service contract seller’ means a person [*who*] **that** markets, sells or offers to sell a service
- 20 contract.
- 21 “(7) ‘Warranty’ means a warranty [*made solely by the manufacturer, importer or seller of*] **that**
- 22 **a person that manufactures, imports or sells** property or services[,], **makes** without charge, that
- 23 is not negotiated or separated from the sale of the product and is incidental to the sale of the
- 24 product, and that guarantees indemnity for defective parts, mechanical or electrical breakdown, la-
- 25 bor or other remedial measures, such as repair or replacement of the property or repetition of ser-
- 26 vices.”
- 27 In line 5, delete “1” and insert “2”.
- 28 On page 3, line 32, delete “2” and insert “3”.
- 29 On page 4, delete lines 30 through 32 and insert:
- 30 “**SECTION 4. The amendments to ORS 646A.152, 646A.154 and 646A.430 by sections 1 to**
- 31 **3 of this 2013 Act apply to service contracts into which a consumer enters and vehicle pro-**
- 32 **tection product warranties that go into effect on or after the effective date of this 2013**
- 33 **Act.”.**
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