

**PROPOSED AMENDMENTS TO
A-ENGROSSED SENATE BILL 577**

1 On page 1 of the printed A-engrossed bill, line 2, after “ORS” insert
2 “646A.152,”.

3 After line 4, insert:

4 **“SECTION 1.** ORS 646A.152 is amended to read:

5 “646A.152. As used in ORS 646A.150 to 646A.172:

6 “(1) ‘Maintenance agreement’ means a contract of limited duration that
7 provides for scheduled maintenance only.

8 “(2) ‘Obligor’ means [*the person who*] **a person that** is contractually ob-
9 ligated to the service contract holder to provide service under a service
10 contract. [*and who:*]

11 “[*(a) Sold the merchandise covered by the service contract;*]

12 “[*(b) Sells merchandise similar to that covered by the service contract; or*]

13 “[*(c) Is acting through or with the written consent of the manufacturer,*
14 *importer or seller of the merchandise covered by the service contract.*]

15 “(3) ‘Person’ means an individual, partnership, corporation, incorporated
16 or unincorporated association, joint stock company, reciprocal, syndicate or
17 any similar entity or combination of entities acting in concert.

18 “(4) ‘Service contract’ is a contract described in ORS 646A.154.

19 “(5) ‘Service contract holder’ or ‘contract holder’ means a person [*who is*
20 *the purchaser or holder of*] **that purchases or holds** a service contract.

21 “(6) ‘Service contract seller’ means a person [*who*] **that** markets, sells or
22 offers to sell a service contract.

1 “(7) ‘Warranty’ means a warranty [*made solely by the manufacturer,*
2 *importer or seller of*] **that a person that manufactures, imports or sells**
3 **property or services[,] makes** without charge, that is not negotiated or sep-
4 arated from the sale of the product and is incidental to the sale of the
5 product, and that guarantees indemnity for defective parts, mechanical or
6 electrical breakdown, labor or other remedial measures, such as repair or
7 replacement of the property or repetition of services.”.

8 In line 5, delete “1” and insert “2”.

9 On page 3, line 32, delete “2” and insert “3”.

10 On page 4, delete lines 30 through 32 and insert:

11 **“SECTION 4. The amendments to ORS 646A.152, 646A.154 and**
12 **646A.430 by sections 1 to 3 of this 2013 Act apply to service contracts**
13 **into which a consumer enters and vehicle protection product warran-**
14 **ties that go into effect on or after the effective date of this 2013**
15 **Act.”.**

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