

2003 SESSION

INTRODUCED

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HOUSE BILL NO. 2564

Offered January 8, 2003

Prefiled January 8, 2003

A *BILL to amend the Code of Virginia by adding a section numbered 8.2-207.1, relating to the Uniform Commercial Code-Sales; place of formation of certain contracts.*

Patron—Scott

Referred to Committee on Science and Technology

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding a section numbered 8.2-207.1 as follows:

§ 8.2-207.1. Place where e-mail transaction occurred.

A. An e-mail transaction shall be presumed to have occurred in the state from which the buyer sent the final electronic mail message that was required of the buyer in order to form the contract, without regard to whether (i) the buyer was acting as the offeror or the acceptor, or (ii) the buyer subsequently received a message from the seller acknowledging acceptance of an offer contained in the buyer's message.

B. As used herein, "e-mail transaction" means a contract for the sale of goods in which (i) the buyer uses his credit card as the method of payment for the goods and (ii) the buyer transmits to the seller, by electronic mail, his offer to buy, his acceptance of the seller's offer to sell, or other communication required on the part of the buyer to form the contract.

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