

# 1997 SESSION

INTRODUCED

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## SENATE BILL NO. 1071

Offered January 20, 1997

*A BILL to amend and reenact § 59.1-436 of the Code of Virginia, relating to trade and commerce; extended service contracts; motor vehicle service contracts.*

Patron—Martin

Referred to the Committee on Commerce and Labor

**Be it enacted by the General Assembly of Virginia:**

**1. That § 59.1-436 of the Code of Virginia is amended and reenacted as follows:**

§ 59.1-436. Registration; fees; exemptions.

A. It shall be unlawful for any extended service contract provider to offer, advertise, or execute or cause to be executed by the purchaser any extended service contract for a consumer product in this Commonwealth unless the obligor at the time of the solicitation, offer, advertisement, sale, or execution of a contract has been properly registered with the Commissioner. The registration shall (i) disclose the address, ownership, and nature of business of the obligor; (ii) be renewed annually; and (iii) be accompanied by a fee of \$100 per registration and annual renewal.

B. All fees shall be remitted to the State Treasurer and shall be placed to the credit and special fund of the Virginia Department of Agriculture and Consumer Services to be used in the administration of this chapter.

C. Any matter subject to the insurance regulatory authority of the State Corporation Commission pursuant to Title 38.2 shall not be subject to the provisions of this chapter.

D. Licensed or registered motor vehicle dealers, as defined in § 46.2-1500, shall not be subject to the provisions of this chapter.

E. ~~With the exception of extended service contracts sold on motor vehicles as defined in § 46.2-100,~~ extended service contract providers who comply with this section and the employees of such providers who market, sell or offer to sell extended service contracts on behalf of the provider shall not be subject to the provisions of Title 38.2 (§ 38.2-100 et seq.).

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